

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 12/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7958 of 2019

Mariappan ... Petitioner/Sole Accused

Vs

The Inspector of Police,
Devathanapatti Police Station,
Theni District.
Crime No.149 of 2019. ... Respondent/Complainant

For Petitioner : M/s.K.Appadurai,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 Cr.P.C.

PRAYER :-

For bail petition in cr.no.149 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence punishable under Sections 8,9 (f),9(m) and 10 of POCSO Act.

2.Heard both sides.

3.The learned counsel for the petitioner has submitted that the petitioner is working as a Librarian in the St.Peter Higher Secondary School, Devathanapatti. He further submitted that due to previous enmity the defacto complainant has given a false complaint against the petitioner as if he has committed sexual abuse against the school Children. He further submitted that the alleged victims have not given any complaint against the petitioner. He further submitted that the petitioner was arrested and remanded to judicial custody on 04.04.2019 and from that day onwards he is in custody. He would further submit that by this time investigation might have been completed. Hence he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner was working as a Librarian in the St.Peter Higher Secondary School, Devathanapatti and he has sexually abused three victim girl students. He further submitted that two minor girls aged about 13 years have given statements under Section 164 Cr.P.C before the learned Judicial Magistrate, Fast Track Court, Theni implicating the petitioner herein. He further submitted that investigation is still pending. Hence he opposed for granting bail to the petitioner.

5. Taking into consideration the allegations levelled against the petitioner and the statements given by the victim girls under Section 164 Cr.P.C before the learned Judicial Magistrate, Fast Track Court, Theni implicating the petitioner herein and the fact that investigation is not yet completed, this Court is not inclined to grant bail to the petitioner.

6.Hence, this bail petition is dismissed.

sd/-
12/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE, PERIYAKULAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT
- 3.THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION, THENI DISTRICT
- 4.THE OFFICER INCHARGE,
DISTRICT PRISON, KANDAMANUR, THENI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.APPADURAI Advocate SR.No.9511

ORDER IN
CRL OP(MD) No.7958 of 2019
Date :12/06/2019

AAV

PK/VR/SAR-2/14.06.2019 : 2P/7C

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