



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN

CRL OP(MD). No.3101 of 2020

Manikandan

... Petitioner/Accused No.2

Vs

The State Rep. by the
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District
Cr. No.1/2020.

... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
Advocate.

For Respondent : Mrs.M.Ananthadevi
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 1 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 06.01.2020 for the offences punishable under sections 5(i) r/w 6 of POCSO Act, 2012 and Sections 323, 506(ii) of I.P.C., in Crime No.1 of 2020 on the file of the respondent police.

3. The petitioner is figuring as A2. Though, in the FIR, it is alleged that the petitioner also had physical relationship with the victim, in the statement recorded under Section 164 of Cr.P.C., the

<https://hcservices.ecourts.gov.in/hcservices/>



allegations are directed only against Al-Ayyappan.

4. But then, the learned Government Advocate (Crl.side) would submit that the petitioner is equally guilty and that since the petitioner met the victim in the hospital, she had been persuaded to change her stand while giving her statement before the learned Magistrate. This possibility may not be ruled out. In fact, these grains have some credence because the statement recorded under Section 164 of Cr.P.C., has been produced by the learned Counsel for the accused not by the learned Government Advocate (Crl.side). I am not inclined to grant relief for the present. The bail petition stands dismissed. The respondent is directed to file a file report as early as possible.

sd/-
21/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
3. THE OFFICE INCHARGE,
DISTRICT JAIL,
PERURANI, TUTICORIN.

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-3754[I] dated 21/02/2020)

ORDER
IN
CRL OP(MD) No.3101 of 2020
Date :21/02/2020

RMI
TE/PN/SAR-I : 26/02/2020 : 2P/5C