



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6964 of 2020

Karuppasamy @ Kalaigarnar

... Petitioner/Sole Accused

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Manamadurai
Cr No.4/2020.

... Respondent/Complainant

For Petitioner : M/s. S.Balamurugan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in crime no.4/2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 14.06.2020 for the alleged offences under Sections 5(m) (i) (n) of POCSO Act, 2012 r/w.Sections 6 and 376(AB) of IPC.

2. The petitioner is the sole accused. The victim girl is aged about three years old. The case of the prosecution is that on 13.06.2020, while the victim girl was playing in front of the house, the petitioner is said to have picked up the victim girl to his house and indulged in penetrative sexual assault. Subsequently the mother of the victim girl came to know about the incident and she admitted in the hospital and thereafter complaint has been given.



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

4. Perused the 164(3) Statement of mother of the victim, wherein she has clearly stated the petitioner has indulged in penetrative sexual assault with the three years old girl. Medical report also shows that the victim girl aged about 3 years was subjected to penetrative sexual assault.

5. Taking into consideration of the aforesaid facts and also the submission of the learned Government Advocate(Crl.Side), the offence said to have been committed by the petitioner is heinous in nature, this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-
21/07/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAMADURAI.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
3. THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.

ORDER
IN
CRL OP(MD) No.6964 of 2020
Date :21/07/2020

AAV

TE/PN/SAR-II : 23/07/2020 : 2P/4C

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