



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9125 of 2020

Arulappan

... Petitioner/Sole Accused

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanniyakumari,
Crime No. 20/2020.

... Respondent/Complainant

For Petitioner : Mr.S.Sivakumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Bail in Crime No.20 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 06.06.2020 for the alleged offences under Sections 5(m) and 6 of POCSO Act and 506(i) of IPC.

2.Earlier this Court, by order dated 18.08.2020, dismissed the bail application of the petitioner, which reads as follows:

"3.From the perusal of the records and the other materials produced before this Court including the statement of the victim recorded under Section 164 of Cr.P.C., it clearly reveals that when the victim girl went to the house of the petitioner herein to give briyani, the petitioner sexually assaulted her and when the victim girl shouted he criminally intimidated her.



4.Considering the grievous nature of offence committed by the petitioner against the victim, who is aged about 11 years, this Court is not inclined to grant bail to the petitioner.

5.Hence, this criminal original petition stands dismissed."

3.Once again the petitioner has come up before this Court with the second petition and submitted that even though the FIR has been registered for the alleged offence under Sections 5(m) and 6 of POCSO Act, as per FIR, no offence is made out against the petitioner.

4.Considering the grievous nature of the offence, and there is no change of circumstances warranty grant bail. Hence, this court is not inclined to grant bail to the petitioner.

5.Accordingly, this criminal original petition is dismissed.

sd/-

07/09/2020

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/ /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 SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MARTHANDAM, KANNIYAKUMARI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.9125 of 2020
Date :07/09/2020