



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/09/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9818 of 2020

1. Thiruvan
2. Ranaveeran @ Aebilan
3. Ganeshan
4. Vellaichamy
5. Radhakrishnan

... Petitioners/Accused No.1 to 5

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No. 2 of 2020.

... Respondent/Complainant

For Petitioners : M/s.G.Karuppasamy Pandiyan,
Advocate.

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

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

PRAYER :-

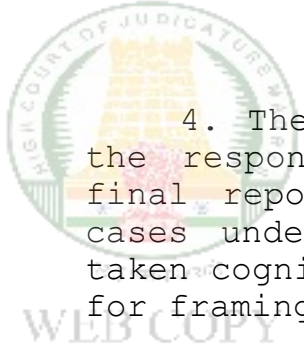
For an Bail in Crime No.2 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners herein were arrested on 17.02.2020 for the alleged offences under Sections 3(d) r/w.4,5(i)(l)(m)(g) r/w. 6 of the POCSO Act and Section 506(i) of IPC.

2. The case of the prosecution is that the petitioners herein said to have sexually assaulted three minor victims viz., two female and one boy who are minors belong to the same village.

3. Now from the perusal of the records it is seen that the petitioners have sexually assaulted the minor victims and also criminally intimidated them not to disclose the same to the parents.



4. The learned Government Advocate(Crl.Side) would submit that the respondent police has completed the investigation and filed final report before the Special Court for exclusively trial for cases under the POCSO Act, Srivilliputhur and the same has been taken cognizance in Spl.S.C.No.41 of 2020 and the case stands posted for framing of charges.

5. From the perusal of the statements given by the victim under Section 164 of Cr.P.C before the learned Magistrate it could be seen that the petitioners herein sexually assaulted the minor victim several time and also criminally intimidated them. At this juncture, if the petitioners are released on bail, they will tamper with the witnesses.

6. Taking into consideration all the facts of the case and also the gravity of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioners.

7. Hence the petition stands dismissed.

sd/-
16/09/2020

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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, MADURAI.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9818 of 2020
Date :16/09/2020