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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2020

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12772 of 2020

Irulesh @ Iruleswaran ... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.
Crime No. 275 of 2020. ... Respondent/Complainant

For Petitioner : M/s.T.Veerakumar,
Advocate.
For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-
For Bail in Cr.No.275 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is arrayed as accused No.1. He was arrested and remanded to Judicial Custody on 01.10.2020, for the offences punishable under Section 366 (A) of I.P.C. @ 366 of IPC and 5(i), 6 of POCSO Act, in Crime No.275 of 2020, on the file of the respondent police. He seeks bail.

2.The learned counsel appearing for the petitioner states that a false case was foisted against the petitioner. The learned counsel for the petitioner is of the opinion that due to motive between himself and the brother of the victim girl, a false case has been registered against him.

3.The learned Government Advocate (Crl. Side) objected the

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petition by stating that the petitioner has committed sexual offence against the victim girl and the 164 statement given by the victim girl before the learned Judicial Magistrate No.I, Ramanathapuram, reveals that the victim girl was forcibly taken away by misrepresentation and the offence was committed. The statement of the victim girl before the learned Magistrate further reveals certain facts, which all are to be investigated by the police thoroughly. The offences against women are increasing. Therefore, the stringent actions are required. Sexual offences are to be dealt with iron hand and in the event of considering the bail in such cases, the same would sent a wrong message to the society and this apart in the present case, the investigations are in progress and in the event of releasing the petitioner on bail, there is a likelihood of interference and tampering the evidence or witnesses. When the investigation is actively progress, it is not preferable to consider the bail petition at this point of time. The respondent police is directed to expedite the investigation and complete the same.

4.Hence, the petition for bail stands dismissed.

sd/-
11/11/2020

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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 OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM

2 THE INSPECTOR OF POLICE
THIRUPALAIKUDI POLICE STATION, RAMANATHAPURAM DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.12772 of 2020
Date :11/11/2020

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