



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.13018 of 2020

M.Praveen Kumar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.11 of 2020)

... Respondent/Complainant

For Petitioner : M/s.T.Thirumurugan,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No. 11 of 2020 on the file of the Respondent Police.

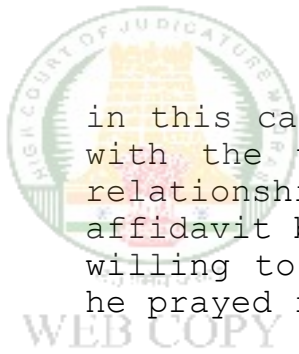
ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.08.2020 for the offences punishable under Sections 366 (A) of IPC, 5(j), (ii), 6 and 17 of Protection of Child From Sexual Offences Act, in Crime No.11 of 2020, on the file of the respondent police seeks bail.

2. Heard both sides.

3.The case of the prosecution is that On 12.01.2020, the birthday of the victim girl was celebrated and A2 called her to her house and the victim was provided with piece of cake. After taking cake the victim girl felt unconscious. Thereafter, the petitioner had sexual intercourse with her with the help of A2. Thereafter, the victim got pregnant and lodged a complaint.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated



in this case. He further submitted that the petitioner fell in love with the victim girl and on promise of marrying her had sexual relationship with her. Now the father of the petitioner has filed an affidavit before this Court stating that the petitioner is ready and willing to marry the victim girl after she attains majority. Hence, he prayed for bail to the petitioner.

5. The learned Government Advocate(Crl.Side) would submit that the investigation is pending and that there is no change of circumstances after dismissal of the earlier bail application in Crl.OP(MD)No.12119 of 2020 dated 02.11.2020.

6.It is seen that this is the second application seeking bail. The earlier bail application in Crl.OP(MD)No.12119 of 2020 was dismissed on merit by this Court on 02.11.2020.

7.Taking into consideration of the fact that there is no change of circumstances after dismissal of the earlier bail application in Crl.OP(MD)No.12119 of 2020, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
23/11/2020

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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 INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

2 THE OFFICER INCHARGE, SUB JAIL, VIRUDHUNAGAR.

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

ORDER IN
CRL OP(MD) No.13018 of 2020
Date :23/11/2020

MS/PN/SAR-4/26.11.2020/2P.4C

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