



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/03/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2570 of 2021

Thangapandian

... Petitioner/Accused No.2

Vs

State, represented by,
The Inspector of Police,
CBCID, Nagercoil,
Crime No. 08/2020 of CBCID Nagercoil,
Re.By P.P.Nagercoil. ... Respondent/Complainant

For Petitioner : Mr.C.Muthusaravanan,
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. 8/2020 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/A2 was arrested and remanded to Judicial Custody on 19.11.2020 for the offences punishable under sections 376,354 (A),354(B),354(C), 354(D),294(b) of IPC and Sections 66 (B) of Information Technology Act 2000 @ 376,354(A),354(B),354(C), 354(D), 294(b), 201 of IPC and Section 66 E of Information Technology Act, 2000 on the file of the respondent police, seeks bail.

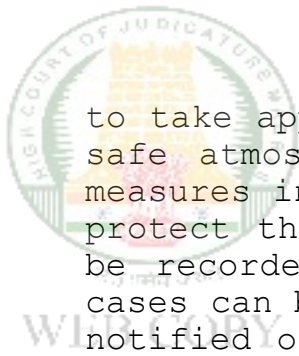
2. The case of the prosecution is that the defacto complainant got acquaintance with the first accused through facebook and thereafter they both exchanged their phone numbers and the first accused expressed that he loves her and further compelled her to come in person. Hence she went to meet the first accused and he came in red colour volswogen car bearing Reg. No.TN 74 AT 5518 and took her into the Car. Further at about 7.00 p.m.,he brought the defacto complainant to his chicken farm where he had physical relationship

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4. The learned Government Advocate(Crl.Side) filed a counter and submitted that first accused in this case involved in very serious offence of cheating nearly 120 women by committing sexual assault on them. Infact he also videographed those incident and the same were destroyed by the petitioner herein including the videos in the hard disc. Further the accused Suji @ kasi's laptop contains more than 1900 obscene full and half nude photos and more than 400 videos have been taken by the accused. Now a days many complaints are being launched. Therefore there is absolutely no change in facts and circumstances of the case and prayed for dismissal of the petition

6. At this juncture the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the petition and he has also made an endorsement to that effect.

8. It would be appropriate if a Senior lady IPS officer not below the rank of the Superintendent of Police to be appointed as a Senior Investigating Officer to monitor the investigation done by the respondent and to secure all the accused persons and complete the investigation, conduct the prosecution with alacrity. This observation is being made on the materials produced and also seeing the evidence submitted by the accused persons. The Director General of Police



to take appropriate decision in this matter, conduct the case in a safe atmosphere giving confidence to the witnesses adopting all measures in conduct of the case, maintain secrecy of the witnesses, protect them from harassment and humiliation, need be evidence can be recorded through video. It would be appropriate that all the cases can be tried together by constituting a special Court or get notified of a Court to try all these offences and dispose the same at the earliest.

sd/-
16/03/2021

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/ /2021
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 JAIL, NAGERCOIL.
- 2.THE INSPECTOR OF POLICE,
CBCID, NAGERCOIL,
RE.BY P.P.NAGERCOIL.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE DIRECTOR GENERAL OF POLICE,
MYLAPORE, CHENNAI.

ORDER
IN
CRL OP(MD) No.2570 of 2021
Date :16/03/2021

AAV
AE/SMA/ (29/03/2021) 3P / 5C