



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.12579 of 2021

Selvaraj
S/o.Kalimuthu ... Petitioner/Sole Accused

Vs

The Inspector of Police
Aranthangi All Women Police Station
Pudukkottai District
Crime No.14 of 2020 ... Respondent/Complainant

For Petitioner : M/s.Fazil Kirmani B,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.14 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 11.01.2021 for the alleged offence under Sections 417, 420 and 376(2)h I.P.C and 5(1),5(j)(ii) r/w Section 6 of Protection of Child From Sexual Offence Act, in Crime No.14 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner who is the second husband of the victim's mother and four others have misused the minor victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He is inside the prison for the past nine months. Hence, he seeks for grant of bail.



4.The learned Government Advocate(Crl.side) would submit that the allegation made as against this petitioner is serious in nature. The victim girl who is aged about 14 years old, the daughter of the defacto complainant. The petitioner married the defacto complainant as second wife and has misused the victim girl. Apart from this petitioner, the other four accused persons have also misused the victim girl. Now, the victim girl gave birth to a child. He would further submit that the final report has been filed without ascertaining the same. On further investigation, they have identified the five others who have misused the victim girl and have sent their samples for DNA analysis.

5.Considering the serious nature of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the Investigating Agency shall take necessary steps to expedite the investigation and conclude the same within a reasonable time.

sd/-
03/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSA

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
Aranthangi All Women Police Station
Pudukkottai District
- 2.The Superintendent, central Prison, Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.12579 of 2021
Date : 03/09/2021

TR/SKN/SAR-IV(17.09.2021) 2P 4C

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