



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

Date : 08/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13190 of 2021

Kamaraj Perumal

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Virudhunagar,
Virudhunagar District.
(Crime No.5 of 2020)

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan,
Advocate.

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

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

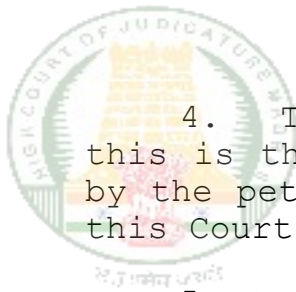
PRAYER :- For Bail in Crime No. 5 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 02.09.2020, for the offence punishable under Sections 5(m), 5(n), 5(1), r/w.6 of POCSO Act 2012 and Section 506(i) of IPC, in Crime No.5 of 2020, seeks bail.

2. Totally, there are two accused in this case. The accused persons are father and son. The case of the prosecution is that the accused persons have committed aggravated penetrative sexual assault several times on a 11-years-minor victim girl, even before attaining puberty and after attaining puberty, due to which, the victim girl became sick and was hospitalized. The Doctors found that she was subjected to sexual assault. Hence, the complaint.

3. The learned counsel for the petitioner submits that the entire allegations are made as against the first petitioner and not against this petitioner. He further submits that both the accused persons and the victim are close relatives and due to previous enmity a false case has been foisted against the petitioner.



4. The learned Government Advocate (Crl. Side) submits that this is the second bail petition. The earlier bail petition filed by the petitioner in Crl.O.P.(MD)No.14788 of 2020, was dismissed by this Court, on 15.12.2020.

5. Considering the seriousness of the offence committed by the petitioner, this Court, vide order 15.12.2020, dismissed the earlier bail petition and directed the trial Court to take cognizance of the case forthwith and dispose of the case within a period of four months from the date of receipt of a copy of the order.

6. In view of the above, this Court is not inclined to entertain the second bail petition. Accordingly, the Criminal Original Petition is dismissed.

sd/-

08/09/2021

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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 SPECIAL JUDGE FOR EXCLUSIVE TRIAL OF CASES
UNDER POSCO ACT, 2012,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
2. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.13190 of 2021

Date :08/09/2021

OGY

MS/PN/SAR-2/20.09.2021/2P.6C

<https://hcservices.ecourts.gov.in/hcservices/>