



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/10/2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.15223 of 2021

Masanam ... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Tirunelveli Town All Woman Police Station,
Tirunelveli District.
In Crime No.9 of 2021 ... Respondent/Complainant

For Petitioner : Mr.R.MAHESWAREN, Advocate for
Mr.C.Susi Kumar, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.9 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 24.08.2021, for the offence punishable under Sections 7 & 8 of Protection of Children from Sexual Offences Act 2012 and Section 506(i) of IPC, in Crime No.9 of 2021 on the file of the respondent Police, seeks bail.

2. The petitioner, who is aged about 68 years, has misbehaved with the younger daughter of the defacto complainant, who is aged about 14 years.

3. Considering the gravity of offence committed by the petitioner, this Court dismissed the earlier bail petition filed by the petitioner in CrI.O.P.(MD)No.13567 of 2021, on 15.09.2021. This is the second bail petition filed by the petitioner on medical ground that his both kidneys are affected and he has not been provided with proper treatment.



4. Considering the same, this Court, vide order dated 06.10.2021, directed the learned Additional Public Prosecutor to file a report with regard to the health condition of the petitioner from the Superintendent, Central Prison, Palayamkottai.

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5. Pursuant to the direction of this Court, the learned Additional Public Prosecutor, today, filed a medical report of the petitioner given by the Medical Officer, Central Prison, Palayamkottai, which reads as follows:

"The above said prisoner 6245 Masanam, S/o. Sappani, 68/M was taken admission from Tirunelveli Medical College Hospital on 24.08.2021. He was treated as inpatient in Tirunelveli Medical College Hospital from 24.08.2021 to 08.09.2021. He was diagnosed as a case of systemic hypertension / renal Calculi / Left Hydrouretero nephrosis / S/P DJ stent removal done. He was admitted in Central Prison Dispensary on 08.09.2021. Since then he was given regular oral medication and Diet as recommended by Tirunelveli Medical College Hospital Specialist. Till date the above said prisoner is in Central Prison Dispensary taking regular medication. At present, his health condition is stable."

6. The report of the Medical Officer, Central Prison, Palayamkottai is recorded.

7. Considering the gravity of offence and also considering the fact that the petitioner's health condition is now stable, this Court is not inclined to grant bail to the petitioner.

8. In the result, the Criminal Original Petition is dismissed.

sd/-
08/10/2021

/ TRUE COPY /

/ /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 INSPECTOR OF POLICE
TIRUNELVELI TOWN ALL WOMAN POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

ORDER

IN

CRL OP(MD) No.15223 of 2021

Date :08/10/2021

OGY

MK/JM/SAR.II/25.10.2021/3P/4C