



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.700 of 2022

Balakrishnan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
Cr.No. 56 of 2021.

... Respondent/Complainant

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

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

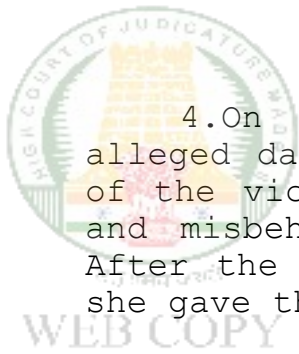
For Bail in Crime No.56 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 30.11.2021 for the alleged offence under Sections 451 of IPC r/w 7 and 8 of POCSO Act in Crime No.56 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.11.2021 at about 5.30 p.m. the petitioner suddenly entered into the house of the victim girl and sexually assaulted her. Hence, the complainant.

3.The learned counsel for the petitioner submitted that there is a money transaction between the mother of the victim girl and this petitioner. When the money was demanded back, this false complaint has been given after delaying of six days from the alleged date of occurrence.



4. On the side of the respondent it is stated that on the alleged date of occurrence, this petitioner entered into the house of the victim knowing the non availability of others in the house and misbehaved with the victim girl and sexually assaulted her. After the incident was informed to the mother of the victim girl, she gave the complaint on the same day itself.

5. The complaint has been lodged on 30.11.2021. The maximum punishment is 5 years. This petitioner is in custody for the past 41 days. Pointing out six days delays the petitioner claiming benefit of bail. The victim girl is aged about 15 years and the petitioner is aged about 35 years. The offence is serious in nature. Hence, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

12/01/2022

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/ /2022

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,
MARTHANDAM,
KANYAKUMARI DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB-JAIL, NAGERCOIL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.700 of 2022

Date : 12/01/2022

RS/VR/SAR.2(01.02.2022) 2P-4C

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