



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

Dated: 08/02/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.1335 of 2022

WEB COPY

Gunasekaran : Petitioner/Accused No.1

Vs.

The State, rep. By
The Inspector of Police,
All Women Police Station,
Ramanathapuram District,
(Crime No.21 of 2021) : Respondent/Complainant

For Petitioner : Mr.K.R.Laxman

For Respondent : Mr.S.S.Madhavan
Government Advocate
(Criminal side)

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

PRAYER :-

For Bail in Crime No.21 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1 was arrested on 02/11/2021 and remanded to judicial custody for the offences punishable under sections 3, 4, 5(1) and 6 of POCSO Act and 506(ii) IPC, in Crime No.21 of 2021 on the file of the respondent police, seeks bail.

2.The petitioner is facing the charges under sections 3, 4, 5(1) and 6 of POCSO Act and 506(ii) IPC,

3.Heard both sides.

4.An unfortunate case of child, who was alleged to have been sexually assaulted by two persons, one by her own father and another person to whom she was taken for some sort of customary treatment.

5.Reading of the FIR shows that right from the year 2018, this petitioner alleged to have misbehaved with the victim girl continuously till 2019. When she was taken to A2 for the purpose of the above said customary treatment, she was again sexually assaulted.



6.The bail application that was filed by the 2nd accused came to dismissed on going through the CD file.

7.The learned counsel appearing for the petitioner would submit that the allegation is only against A2 and this petitioner is no way involved or misbehaved with the victim girl.

8.The entire CD file has also been perused once again. As stated in the FIR, the victim has stated that this petitioner right from the year 2018, continuously misbehaved. Being the father, if the petitioner is released on bail, there is every likelihood of tampering the witnesses and hampering the trial process. So considering the above facts, this court is not inclined to grant bail to the petitioner.

9.In the result, this criminal original petition is **dismissed**.

sd/-
08/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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,
RAMANATHAPURAM DISTRICT.

2. THE OFFICER-IN CHARGE, SUB JAIL, RAMANATHAPURAM.

3. The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.LAXMAN K.R. Advocate SR.No.968

ORDER

IN

CRL OP(MD) No.1335 of 2022

Date :08/02/2022