



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.3129 of 2022

Muthukumar

... Petitioner/ Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Thiruparangundram,
Madurai District.
(Crime No.692 of 2021)...Respondent/ Complainant

For Petitioner : M/S.M.P.Roniga
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.692 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 30.12.2021 for the offences punishable under Sections 294(b), 324 and 506(2) IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, Sections 5(1) and 6 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, in Crime No.692 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had married a minor girl and continuously harassed her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that the petitioner had married the minor victim girl, who is aged 16 years, by giving false promise that he would marry her subsequently married her and committed the aggravated penetrative sexual assault and that thereafter, the petitioner had been harassing the victim girl continuously. He would further submit that in the statement recorded under Section 164(5) Cr.P.C., the victim girl has narrated all the incidents, through which, she was harassed.

5.Considering the nature and seriousness of the offence alleged against the petitioner and also the facts that the investigation is not yet completed and that the medical tests are not over, this Court is not inclined to grant bail to the petitioner.

6.In the result, this Criminal Original Petition is dismissed.

sd/-
14/02/2022

/ TRUE COPY /

/ /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, THIRUPARANGUNDRAM,
MADURAI DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, THIRUMANGALAM.

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

ORDER
IN
CRL OP(MD) No.3129 of 2022
Date :14/02/2022

CSM
MK/PN/SAR.II/21.02.2022/2P/4C