



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.3404 of 2022

Sekar

... Petitioner/ Sole Accused

Vs

State through
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
(Crime No.57 of 2021)

... Respondent/ Complainant

For Petitioner : Mr.C.Kishore,
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.57 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 04.12.2021 for the offences punishable under Sections 5(i), 5(j)(ii) and 6 of POCSO Act, in Crime No.57 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had committed aggravated penetrative sexual assault on the victim girl several times, due to which, the victim girl has become pregnant. 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 victim girl is aged about 14 years and that the



petitioner/accused had aggravated penetrative sexual assault on the victim girl several times and that she is now in 8th month of pregnancy. He would further submit that the petitioner and the victim girl are relatives and that the petitioner got already married.

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5.Considering the seriousness and gravity of the offence alleged against the petitioner and also the facts that the petitioner is in judicial custody from 04.12.2021 and that investigation is pending, this Court is not inclined to grant bail to the petitioner.

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

sd/-

17/02/2022

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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 SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL PRISON, TIRUNELVELI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.C.KISHORE, Advocate SR.No.6858.

ORDER

IN

CRL OP(MD) No.3404 of 2022

Date :17/02/2022

CSM

MK/SBN/SAR.III/24.02.2022/2P/5C