



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11.03.2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.4592 of 2022

Achappan

... Petitioner/Accused

vs.

The State represented by
The Inspector of Police,
All Women Police Station,
Virudhunagar,
Virudhunagar District.
(Crime No.2 of 2022)

... Respondent/Complainant

For Petitioner : Mr.G.Mariappan,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl. Side).

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

PRAYER :-

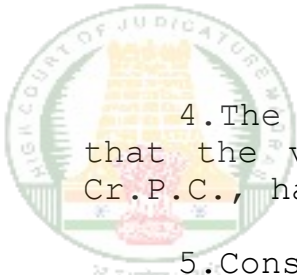
For Bail in Crime No.2 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 05.02.2022 for the offences punishable under Section 506(1) IPC and Sections 7 r/w 8 and 5(1) r/w 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.2 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner by giving false promise to the victim girl, who is aged 16 years, as if he had fallen in love with her, had committed aggravated penetrative sexual assault two times. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the victim girl is 16 ½ years old and that the petitioner is in judicial custody from 05.02.2022.



4.The learned Government Advocate (Criminal Side) would submit that the victim girl in her statement recorded under Section 164 Cr.P.C., has specifically implicated the petitioner.

5.Considering the seriousness and gravity of the offence alleged against the petitioner and also the fact that the petitioner is in judicial custody only from 05.02.2022, this Court is not inclined to grant bail to the petitioner.

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

sd/-

11/03/2022

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/ /2022

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

CSM

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,
VIRUDHUNAGAR DISTRICT

2 THE OFFICER INCHARGE,
VIRUDHUNAGAR DISTRICT JAIL.

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

+1. CC to M/S. MARIAPPAN.G. Advocate SR.No.1936

ORDER

IN

CRL OP(MD) No.4592 of 2022

Date :11/03/2022

SS/PN/SAR:III/16.03.2022 : 2P/5C