



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.5861 of 2022

Sendu,

... Petitioner/Accused No.2

Vs

The State Rep by,
The Inspector of Police,
Pathamada Police Station,
Tirunelveli District
(Crime No. 23 of 2022).

... Respondent/Complainant

For Petitioner : Mr.N.Sankar Ganesh,Advocate.

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

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

PRAYER :-

For Bail in Crime No.23 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 01.03.2022 for the offences punishable under Sections 366 (A)of IPC @ 366(A) and Sections 5(1) and 6 of the Protection of Children from Sexual Offence Act, 2012 in Crime No.23 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A1 committed sexual assault upon the victim girl, who is aged about 13 years with the help of this petitioner. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the mother of A1, she is innocent and she has been falsely implicated in this case.



4.The learned Additional Public Prosecutor would submit that in the statement recorded under Section 164 Cr.P.C., the victim girl has implicated the petitioner and A1 in this case. He would further submit that the investigation is pending.

5.Considering the seriousness and gravity of the offence alleged and also the fact that the investigation is pending as stated by the learned Additional Public Prosecutor and also taking note of the statement under Section 164 of Cr.P.C. given by the victim girl implicating the petitioner in this case, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

08/04/2022

/ TRUE COPY /

/ /2022

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

SJI

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
PATHAMADAI POLICE STATION,
TIRUNELVELI DISTRICT
- 2 THE OFFICER INCHARGE,
SUB JAIL FOR WOMEN,
KOKKIRAKULAM,
TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5861 of 2022

Date :08/04/2022

PKP/JM/SAR-2/20.04.2022/2P/4C