



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/04/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.6641 of 2022

Marimuthu

... Petitioner/Accused No.2

Vs

The State represented by its
The Inspector of Police,
All Women Police Station,
Karur.

(Crime No.2 of 2022).

... Respondent/Complainant

For Petitioner : Mr.R.Jenifar Bibin,
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.2 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.2, who was arrested and remanded to judicial custody on 25.01.2022 for the offences punishable under Sections 3, 4, 5(1), 5(j)(ii) and 6 of POCSO 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 first accused and the victim girl were in love and they had developed intimacy on several occasions and when the same came to the knowledge of the petitioner, he threatened the victim girl and had committed sexual assault. Due to that, the victim girl got pregnant. 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.

4.The learned counsel for the petitioner would further submit that the victim girl was minor studying 11th standard, that she was in love with the first accused and that they had intimacy with each other on several occasions.

5.No doubt, the earlier petition for bail filed by the petitioner in Crl.O.P.(MD)No.3908 of 2022 was dismissed by this Court vide order dated 09.03.2022.

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8.Considering the seriousness and gravity of the offence alleged against the petitioner and also the fact that investigation is not yet completed and that there is no change of circumstances, since the dismissal of the earlier bail application, this Court is not inclined to grant bail to the petitioner.

sd/-

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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.

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARUR

2 THE OFFICER INCHARGE,
SUB JAIL, KARUR.

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

ORDER
IN
CRL OP (MD) No.6641 of 2022
Date :11/04/2022