



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13139 of 2022

WEB COPY

Saravanan

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukottai District.
Crime No.14 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Lenin Kumar.T, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

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

PRAYER :-

For Bail in Crime No.14 of 2022 on the file of the Respondent police.

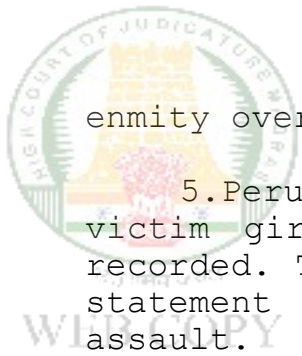
ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 5(m) r/w 6 of POCSO Act, 2019 in Crime No.14 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that on 10.06.2022, his wife went to the hospital to visit a child. The victim, who is aged about 5 years, by name Tharshini was in the house. The defacto complainant also went to the marriage and later returned to the house at about 01.045 pm., when the victim was found missing.

3.On search, the accused person locked the door suddenly and the defacto complainant went into the house of the accused person and at that time, he found that the accused was in nude without cloths, the victim's panties had been removed half in the backside and her panties was wet.

4.On the basis of the aforesaid occurrence, the present case has been registered and the petitioner was arrested on 11.06.2022 and ever since he is in judicial custody. Seeking bail, this petition has been filed on the ground that because of the previous



enmity over the property dispute, a false complaint has been filed.

5. Perusal of CD file shows that not only the statement of the victim girl but also the statement of the victim's mother were recorded. The victim is aged about only 5 years and she has given a statement by implicating this petitioner in the aforesaid sexual assault.

6. Considering the gravity of the offences, if the petitioner is released on bail, there is every likelihood of tampering the evidence, since the petitioner is stated to be the neighbour of the victim girl, this Court is not inclined to grant bail to the petitioner.

7. This Criminal Original Petition is dismissed, accordingly.

sd/-

21/07/2022

/ TRUE COPY /

/08/2022

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, ARANTHANGI, PUDUKOTTAI DISTRICT.
- 2 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13139 of 2022

Date : 21/07/2022

RS/PN/SAR.3 (01.08.2022) 2P-4C