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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13396 of 2022

Vellaiyan

... Petitioner/Petitioner/
Accused No.3

Vs

The State rep.by
The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
Crime No.153 of 2021.

... Respondent/Complainant

For Petitioner : M/s.RAMESHKUMAR.D,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No. 153 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested on 15.06.2022 for the alleged offences under Sections 5(1), 5(j)(ii) r/w Section 6 Section 3 and 4 of POCSO Act, 2012, in Crime No.153 of 2021, on the file of the respondent police, seeks bail.

2.The earlier bail application was dismissed by this Court in Crl.OP(MD)No.12244 of 2022 dated 13.07.2022 on the ground that serious allegation of sexual assault has been made against the petitioner. Even though, DNA report did not tally with the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is in judicial custody for more than 80 days. But, that cannot be considered.



4. considering the overt act attributed against the petitioner, this Criminal Original Petition is dismissed.

sd/-
25/07/2022

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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.

TO

- 1 THE INSPECTOR OF POLICE,
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.13396 of 2022
Date :25/07/2022

SA/PN/SAR.1/28.07.2022/2P/4C