



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13615 of 2022

Maruthupandian @ Kutty

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
Crime No.14 of 2022.

... Respondent/Complainant

For Petitioner : Mr.B.Arun,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

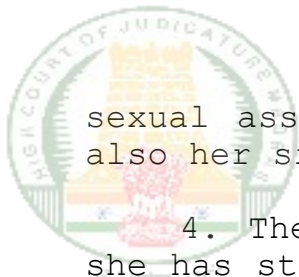
PRAYER :-For Bail in Crime No.14 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 30.06.2022 for the offences punishable under Sections 7 & 8 of POCSO Act, 2012 in Crime No.14 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim's father is in abroad, during the course of time, the victim's mother developed some sort of relationship with the petitioner and thereafter, the petitioner is living with her in the same house. In the mean time, the petitioner misbehaved with the victim and his sister and the same was brought to the notice of the victim's mother. The victim's mother has not taken any steps, thereafter, the present complaint has been registered against this petitioner.

3. On perusal of the 164 of Cr.P.C statement that has been recorded from the victim, it shows that there was a continuous



sexual assault by the accused person not only the victim - it also her sister.

4. The Investigating Officer is present before this Court and she has stated that the victim girl and her sister were secured and they were now in the custody of her relation.

5. The learned counsel for the petitioner submitted that the petitioner was arrested and remanded to judicial custody for more than 23 days and the same was not considered by this Court for released on bail because, the petitioner is already married person.

6. Considering the seriousness and gravity of the offence alleged against the petitioner and also the fact that such conduct of the person is not entitled for any consideration at all, this Court is not inclined to grant bail to the petitioner.

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

sd/-
03/08/2022

/ 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, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13615 of 2022
Date :03/08/2022

TTA

<https://www.mhjc.org.in/> I/25.08.2022/2P/4C