



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14358 of 2022

Marish @ Ramasiva

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Thanjavur District.
(Crime No.21 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Karunakaran K.M., Advocate.

For Respondent : M/s.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.21 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused was arrested and remanded to judicial custody on 07.07.2022 for the alleged offence punishable under Sections 4(2), 7, 8, 13, 14(i), 15(1) of POCSO Act r/w. 506(i) IPC, in Crime No.21 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is aged about 14 years and she was abducted by the first accused and also subjected to sexual intercourse and the petitioner herein / A2 had taken video and photographs and threatened that he will share the photos with others. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the 3rd accused has already been released on bail by the trial Court and the petitioner herein is innocent and his name has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that it is a serious nature of offence and strongly objected to release the petitioner on bail.

5. Considering the specific overt act attributed against the petitioner that he threatened the victim girl by showing the photo and videographs, the release of co-accused before the Court below could not be extended to the petitioner herein. Considering the manner in which the offence took place and that it is serious nature of offence, this Court is not inclined to enlarge the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
17/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14358 of 2022
Date :17/08/2022

SP/PN/SAR IV/25/08/2022/2P/4C