



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

Date : 11/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14444 of 2022

WEB COPY

A.Prakash

... Petitioner/Accused (Rank Not Known)

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District.
(Crime No.26 of 2022).

... Respondent/Complainant

For Petitioner : M/s.T.Lenin Kumar, 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.26 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner was arrested at the hands of the respondent police for the offences punishable under sections 5(1), 5(j)(ii) r/w. 6(i) of POCSO Act, 2012 of I.P.C., in Crime No. 26 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution as stated by the victim girl is that her parents were no more and two brothers were living separately and she grew in senior maternal aunt's house. Later, she joined in the Mill and at that time she had contact with one Sathish, she was also in love with him. On a particular day, she was subjected to sexual intercourse by the above said person on promising to marry her. When the affair was brought to the notice of the wife of the above said Sathish she came to the Mill and picked up quarrel with her and also insisted her to cut the contact with the above said Sathish. After two days, she informed the same to the Senior mother and that she was taken to the hospital on 24.06.2022 and at that time she told that she was pregnant. Based upon the above said complaint, a case has been registered. During the course of investigation, the petitioner was arrested and remanded to judicial custody.



3.The learned counsel for the petitioner submitted that as the allegation made in First Information Report, the name of the petitioner has not been mentioned. During the investigation, based on the statement recorded of the victim only the name of Sathish has been implicated in this case.

4.The learned Public Prosecutor appearing for the respondent would submit that the victim is aged about 14 years at the time occurrence.

5.The investigating Officer present before this court and stated that the victim herself disclosed the identity of the petitioner. Subsequently, she has stated that she has given a wrong name now, the investigation is going on.

6.Considering the serious nature of allegations made against the petitioner and that the name of the petitioner has been identified by the victim girl, this Court is not inclined to enlarge the petitioner on bail and hence, the Criminal Original Petition is deserved to be dismissed.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/08/2022

/ TRUE COPY /

/09/2022

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

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, LALGUDI,
TRICHY DISTRICT.

2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14444 of 2022

Date :11/08/2022

trp

RS/VR/SAR.1 (06.09.2022) 2P-4C