



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.14687 of 2022

WEB COPY

Murugesan

... Petitioner/Accused No.2

Vs

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

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, 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.26 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 363 and 328 IPC and 5(g), 6(i) POCSO Amendment Act, 2019 in Crime No.26 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 18.07.2022, the 1st accused, namely, Indhu Bharathi was working in the neighbouring house and because of the aforesaid work, they got acquaintance and they used to talk with each other through phone. At one point of time, the 1st accused invited the defacto complainant, but that was refused by her. At that time, the 2nd accused was also present. They took her in a vehicle and taken to a nearby shed. They also supplied cooldrinks to her. Under threat and force, she has taken the cooldrinks and later, was found dizzy and at that time, both the accused joined together caused sexual assault upon her. Later, her brother and another person came there and rescued her. On the basis of the aforesaid complaint, the case has been registered. Now, the accused has been arrested and remanded to judicial custody.

3.Even though the learned counsel for the petitioner would submit that the petitioner is only a friend of A1 and there is no specific allegation against this petitioner also, going through the



First Information Report and other facts, it is seen the petitioner was also actively involved in the aforesaid occurrence.

4.The learned Additional Public Prosecutor (Crl.side) for the respondent also would submit that the investigation is in the final stage.

5.In the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-

16/08/2022

/ 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 OFFICER INCHARGE, DISTRICT JAIL, PUDUKOTTAI.
- 2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, KEERANAUR, PUDUKKOTTAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14687 of 2022

Date :16/08/2022

MM

RS/SVR/SAR.2 (29.08.2022) 2P-4C