



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16927 of 2022

Muthuselvi,

... Petitioner/Accused No.2

Vs

State Rep.by

The Inspector of Police,

All Women Police Station,

Theni.

(Crime No.38 of 2022).

...Respondent/Complainant

For Petitioner : Mr.A.Vadivel , Advocate

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

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

PRAYER :-

For Bail in Crime No.38 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 14.06.2022 for the offences punishable under Sections 16, 17, 21(1), 6 of POCSO Act, 2012 in Crime No.38 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 14.06.2022, the first accused has misbehaved with the victim girl with the help of the second accused. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the mother of the victim girl. She is an innocent person and she did not commit any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 14.06.2022. Hence he may be granted bail.



4. The learned Government Advocate(crl.side) would submit that the victim is aged about 16 years and the investigation has been completed and the charge sheet has also been filed and the case is ready for trial. He would further submit that first accused is still absconding. Hence, he strongly opposed for grant of bail.

6. Considering the seriousness and gravity of the offence committed by the petitioner and considering the age of the victim girl and also the fact that the main accused is still absconding, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

sd/-
21/09/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP

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,
THENI DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, NILAKKOTTAI,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16927 of 2022
Date :21/09/2022

PKP/GB/SAR /10.10.2022/2P/4C