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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/09/2022

PRESENT

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

CRL OP(MD) . No.17309 of 2022

Ramesh

... Petitioner/Sole Accused

Vs

State rep.by

The Inspector of Police,
Alangudi All Women Police Station,
Pudukottai District.
(Crime No.10 of 2022).

... Respondent/Complainant

For Petitioner : Mr.D.R.Murugesan, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No.10 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 26.07.2022 for the offences punishable under Section 11(iv) r/w 12 of POCSO Amendment Act, 2019 and 506(i) IPC, in Crime No.10 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant is the mother of the victim girl. The petitioner harassed the victim girl, who is aged about 14 years to get marriage with him and also threatened the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to the panchayat election dispute, a false case was foisted against the petitioner. He would further submit that the petitioner is having physical ailment and taking treatment periodically from the



local doctor and during the period of incarceration also he was undergone medical treatment. He would further submit that the petitioner undertakes to file an affidavit stating that he will not involve in the similar offence or any quarrel with the de-facto complainant in future. Hence, he prays for bail.

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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the victim girl is aged about 14 years and the petitioner is aged about 33 years. The petitioner repeatedly trying to give love letter to the victim girl and also harassed her. The investigation is not yet completed. Hence, he strongly opposed to grant bail to the petitioner.

5. Considering the gravity and nature of the offence and also considering the age of the victim girl and also the fact that the investigation is not yet completed, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

28/09/2022

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/10/2022

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

SJI

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,
ALANGUDI ALL WOMEN POLICE STATION,
PUDUKOTTAI DISTRICT.
2. THE OFFICER INCHARGE,
SUB JAIL, PUDUKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17309 of 2022

Date : 28/09/2022