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CRL OP(MD). N



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

Date : 19/10/2022

PRESENT

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

CRL OP(MD) . No.18704 of 2022

Selvendiran ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Cumbum North Police Station,
Cumbum, Theni District.
Cr.No.230/22.

... Respondent/Complainant

For Petitioner : Mr.R.Anand, Advocate
for M/s.Gunasekaran P, 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 Crime No. 230/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 27.07.2022 for the alleged offence under Section 506(i) IPC and Section 6 of POCSO Act, 2012, in Crime No.230 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.07.2022, the accused subjected the minor son of the defacto complainant, who was aged about 12 years to oral sex. Hence, the complaint.

3. On the side of the petitioner, it is stated that the petitioner is innocent and had not committed any such offence, as alleged by the prosecution. Due to previous motive, a false case has been foisted against him. Hence, prays to release him on bail.



4. On the side of prosecution, it is stated that the age of the victim was only 12 years at the time of occurrence and the petitioner had subjected the victim boy to oral sex. The investigation is in preliminary stage. Hence, prays to dismiss the petition.

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5. Considering the facts and circumstances of the case, nature of serious allegations levelled against the petitioner and the age of the victim and also considering the nascent stage of the investigation, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

19/10/2022

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/10/2022

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

TO

1 THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, CUMBUM,
THENI DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, UTHAMAPALAYAM, THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.18704 of 2022

Date :19/10/2022

PNM

RS/SBN/SAR. (28.10.2022) 2P-4C