



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

Date : 01/11/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.19299 of 2022

Ramesh

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Sivagangai District.
(Crime No.20/2022).

... Respondent/Complainant

For Petitioner : M/s.Rajaguru 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.20/2022 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 26.08.2022 for the offences punishable under Sections 294(b) and 506(i) IPC and Sections 7 r/w 8, 11(1) and 12 of POCSO Act, 2012, in crime No.20 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 25.08.2022 at about 08.00 p.m., the petitioner, who is none other than the second husband of the de-facto complainant, sexually assaulted the de-facto complainant's daughter and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the petitioner's second bail application and the earlier application was dismissed by this Court, dated 17.10.2022 in CrI.O.P.(MD)No.18429 of 2022. He would further submit that the petitioner is in judicial custody from 26.08.2022. Hence, he prays for bail.



4.The learned Additional Public Prosecutor strongly opposed this petition stating that this is the petitioner's second bail application and the first bail application was dismissed by this Court on 17.10.2022. He would further submit that the victim is aged about 14 years and the statement under Section 164 of Cr.P.C. of the victim girl is recorded and the investigation has been completed and the charge sheet has already been filed before the concerned Court on 19.09.2022.

5.Considering the facts and circumstances of the case and also considering the serious allegation levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original petition is dismissed.

sd/-
01/11/2022

/ TRUE COPY /

/11/2022

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

TO

1. THE OFFICER-INCHARGE,
DISTRICT PRISON, SIVAGANGAI.
2. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAGANGAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.RAJAGURU, Advocate (SR-12182[I] dated 01/11/2022)

ORDER
IN
CRL OP(MD) No.19299 of 2022
Date :01/11/2022

sj i
USK/SSS/SAR-IV/09.11.2022/2P/5C