



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/11/2022

PRESENT

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

CRL OP(MD) . No.19757 of 2022

Palanisamy

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Tallakulam Police Station,
Madurai District.
(Crime No.58 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Vasantha Yugesh S, 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.58 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 19.09.2022 for the offence under Sections 9(m) and 10 of POCSO Act in Crime No.58 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.09.2022 at about 06.30 p.m., the de-facto complainant's minor daughter was sexually assaulted by the petitioner, while she was playing opposite to her house. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as



alleged by the prosecution and he is in judicial custody from 19.09.2022, hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that the statement of the victim girl is recorded under Section 164 of Cr.P.C. and the investigation has been completed and the charge sheet is made ready. Hence, he prayed for dismissal of this petition.

5.Considering the facts and circumstances of the case and also considering the fact that the statement of the victim girl is recorded under Section 164 of Cr.P.C. and also the fact that the allegation levelled against the petitioner is very serious in nature, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
09/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TALLAKULAM POLICE STATION,
MADURAI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.19757 of 2022
Date :09/11/2022