



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2022

PRESENT

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

CRL OP(MD). No.19905 of 2022

Ramesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.
(In Crime No.21/2022).

... Respondent/Complainant

For Petitioner : M/s.Balakrishnan M,
Advocate.

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

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

PRAYER :-

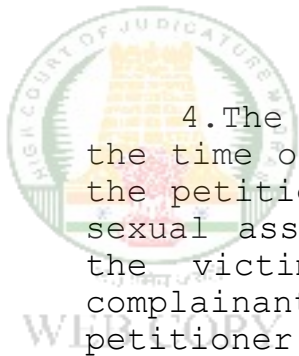
For Bail in Cr No.21/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.07.2022 for the offences punishable under Sections 5 (1) r/w 6 of the POCSO Act, in crime No.21 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that at the time of occurrence, the victim girl was aged about 14 years and the petitioner is aged about 45 years. The petitioner had committed sexual assault upon the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that he is in judicial custody from 16.07.2022, hence he may be released on bail.



4.The learned Additional Public Prosecutor would submit at the time of occurrence, the victim girl was aged about 14 years and the petitioner is aged about 45 years. The petitioner had committed sexual assault upon the victim girl on various occasions. Hence, the victim girl consumed poison. On enquiry by the defacto complainant, the above said occurrence came to be light. If the petitioner is released on bail, there is every likelihood of tampering the evidence and making offend against the victim girl. Hence, he strongly opposed to grant bail. He would further submit that charge sheet was filed before the concerned Court and 164 statement was recorded.

5.Considering the gravity of the offence and also considering the age of the victim girl, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

7.Further, the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases Under POCSO Act, Madurai, is directed to complete the trial and dispose of the case, within a period of three months from the date of receipt of a copy of this order.

sd/-
10/11/2022

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/11/2022

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

DSS

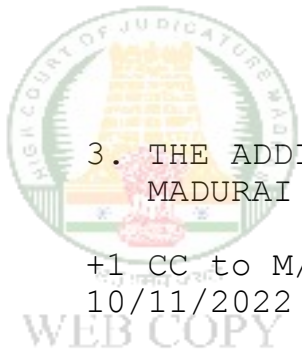
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE TRIAL
OF CASES UNDER POCSO ACT,
MADURAI.

2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI DISTRICT.

<https://www.mca.gov.in/judicial>



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

+1 CC to M/s.M.BALAKRISHNAN, Advocate (SR-12762[I] dated
10/11/2022)

ORDER

IN

CRL OP(MD) No.19905 of 2022

Date :10/11/2022

RK/BUC/SAR-1(16/11/2022) 3P/5C