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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/11/2022

PRESENT

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

CRL OP(MD) . No.21139 of 2022

1. Kiruba @ Kirubakaran
2. Ragul @ Ranjithkumar
3. Paraman @ Paramanantham

... Petitioners/Accused
No.1 to 3

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Palani,
Dindigul District.
(Crime No.10 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar T, 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.10 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 21.09.2022 for the offences punishable under Sections 376(3) of IPC and Section 5(1), 6 of POCSO Act, 2012, in crime No.10 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are already married persons. The victim girls are school going students. The petitioners had committed sexual assault upon the victim girls in the name of love. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as mentioned in the FIR. He would further submit that the victim girls are fell in love with the petitioners and others. and they are in judicial custody from 21.09.2022 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that totally 4 accused are involved in this case. The petitioners were arrayed as A1 to A3. The petitioners herein are married persons. A4 is a juvenile. The investigation was completed and charge sheet was filed before the Fast Track Mahila Court, Dindigul. The same was taken on file in S.C.No.134 of 2022.

5.Considering the facts and circumstances of the case and also considering the gravity and nature of the offence, this Court is not inclined to grant bail to the petitioners.

6.However, the Fast Track Mahila Court, Dindigul, is directed to complete the trial and dispose of the case in S.C.No.134 of 2022 as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

7.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

30/11/2022

/ TRUE COPY /

/12/2022

Sub-Assistant Registrar (C.S.II)
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 JUDGE, FAST TRACK MAHILA COURT,
DINDIGUL.



2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALANI, DINDIGUL DISTRICT.

3. THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

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

ORDER
IN
CRL OP (MD) No.21139 of 2022
Date :30/11/2022

SP/SSS/SAR II/19/12/2022/3P/5C