



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/11/2022

PRESENT



WEB COPY

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

CRL OP(MD) . No.21159 of 2022

Muthaiah

... Petitioner/Accused

Vs

The State Rep.by
The Inspector of Police,
Anna Nagar Police Station,
Madurai City.
Crime No.388 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ramalingam K.C.,
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.388 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

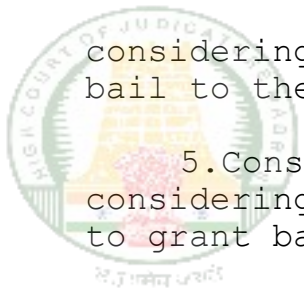
The petitioner/Accused, who was arrested and remanded to judicial custody on 07.09.2022 for the offences punishable under Sections 366, 344 IPC r/w 5(1), 6 POCSO Act, in Crime No.388 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner kidnapped the victim girl and committed sexual assault upon her. 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 judicial custody on 07.09.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the investigation was completed and charge sheet was filed before the concerned Court. It was not taken on file sofar. However,

<https://www.mhc.tn.gov.in/judis>



considering the gravity of the offence, he strongly opposed it
bail to the petitioner.

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

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/11/2022

/ TRUE COPY /

/12/2022

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

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 SUPERINTENDENT,
CENTRAL PRISON, MADURAI..
- 2 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI CITY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.21159 of 2022
Date : 30/11/2022

DSS
MK/VR/SAR I/15.12.2022/2P/4C