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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 10.03.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.R.C.(MD).No.276 of 2023

1.Ragul @ Ranjithkumar

2.Paramanathan @ Paraman

: Petitioners

Vs.

The Inspector of Police,
All Women Police Station,
Palani, Dindigul District.
Crime No.10 of 2022.

: Respondent

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C, to call for the records pertaining to the order, dated 02.02.2023 made in CrI.M.P.No.95 of 2023 passed by the learned Sessions Judge Fast Track Mahila Court, Dindigul and set aside the same by allowing the above criminal revision.

For Petitioners : Mr.AK.Azagarsami

For Respondent : Mr.SS.Madhavan,
Government Advocate (Criminal Side)

ORDER

The Criminal Revision Case is directed against the order passed in

CrI.M.P.No.95 of 2023 on the file of the learned Sessions Judge Fast Track



Mahila Court, Dindigul, cancelling the bail granted in CrI.M.P.No.2172 of 2022, dated 13.12.2022.

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2. It is seen from the records that the respondent Police has registered a case against the accused 1 to 3, including the petitioners for the offence under Section 376(3) IPC and Section 5(l) r/w 6 of POCSO Act. The accused have filed an application in Cr.M.P.No.2172 of 2022 and the learned Sessions Court has granted bail vide order dated 13.12.2022.

3. The prosecution, by alleging that the petitioners have earlier filed a bail petition before the High Court in CrI.O.P(MD)No.21139 of 2022 and this Court has passed an order, dismissing the bail application vide order dated 30.11.2022 and also directed the trial Court to complete the trial and dispose of the case as expeditiously as possible preferably within a period of two months from the date of receipt of copy of that order and that the accused by suppressing the above factum has filed another bail application before the Sessions Court and got bail, sought for cancellation of the same.

4. The learned Sessions Judge, by holding that the accused have purposely suppressed the factum of dismissal of the bail petition by the High Court and mislead the Court, and got bail order.



5. The learned Government Advocate (Criminal Side) appearing for the State would submit that subsequent to the cancellation of bail, the first accused was arrested on 03.02.2023, but the other accused/petitioners herein are still absconding.

6. Considering the entire facts and circumstances of the case and also the conduct of the petitioners/accused, this Court is not inclined to interfere with the order passed by the learned Sessions Judge Fast Track Mahila Court, Dindigul and this Court is in entire agreement with the findings recorded by the learned Sessions Judge Fast Track Mahila Court, Dindigul and hence, the Criminal Revision, which is devoid of merits, is liable to be dismissed.

7. In the result, the Criminal Revision Case is dismissed. The petitioners are directed to surrender before the concerned Court within three days from today.

10.03.2023

NCC : Yes /No

Index : Yes/No

Internet : Yes/No

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CRL.R.C.(MD).No.276 of 202.



To

- 1.The Sessions Judge Fast Track Mahila Court,
Dindigul.
- 2.The Inspector of Police,
All Women Police Station,
Palani, Dindigul District.
- 3.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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CRL.R.C.(MD).No.276 of 202.

K.MURALI SHANKAR, J.

das

Order made in
CRL.R.C.(MD).No.276 of 2023

10.03.2023