



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4754 of 2023

Palani @ Chinnapoosari @ Palaniyandi, ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Keeranur,
Pudukkottai District.
Crime No. 17 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Mohan A, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

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

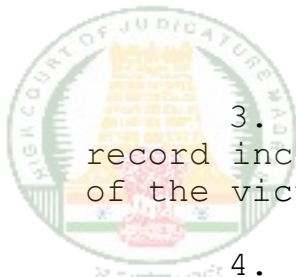
PRAYER :-

For Bail in Crime No. 17 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 09.06.2022 for the offences under sections 5(1), 5(j)(ii)r/w.6(i) of POCSO(Amendment)Act, 2019 and section 506(i) of IPC in Crime No.17 of 2022 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner herein on the guise of performing spiritual pooja to safeguard the victim girl from evil spirit had committed penetrative sexual assault on the minor victim girl, hence the case.



3. Heard both sides and perused the materials available on record including the First Information Report and also the statement of the victim recorded under section 164(3) of Cr.P.C

4. In this case investigation has been completed and final report has been filed before the Mahila Court, Pudukottai and the same has been taken cognizance in Spl.SC.No.52 of 2022 and it is pending trial. A perusal of the statement under section 164(3) reveals that on the pretext of virtuality the accused had committed penetrative sexual assault on the minor victim girl aged about 15 years. Further petitioner has committed very heinous and serious offence against the minor victim girl. That apart the case stands posted to questioning under section 313 of Cr.P.C, therefore this Court is not inclined to grant bail to the petitioner.

5. Hence the petition stands dismissed.

sd/-

14/03/2023

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/03/2023

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

AAV
TO

- 1 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KEERANUR,
PUDUKKOTTAI DISTRICT. CRIME NO. 17 OF 2022
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.4754 of 2023

Date :14/03/2023

PKP/SBN/SAR-1/16.03.2023/ **2P/4C**