



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/03/2023

PRESENT

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

CRL OP(MD) . No.5208 of 2023

Maruthupandi ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Mathur Police Station,
Trichy District.
Crime No.27/2022.

... Respondent/Complainant

For Petitioner : M/s.Jegadeesh Pandian M, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.27/2022 on the file of the respondent police.

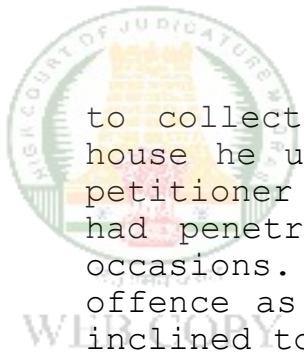
ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 28.02.2022 for the offence punishable under Girl Missing @ 363 of IPC, 5(1) r/w.6(1) of POCSO (Amendment) Act , 2019 in crime No.27 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had kidnapped the minor victim girl and 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 of Cr.P.C.

4.It is seen that the petitioner is a married man and the victim girl is aged about 14 years. On perusal of the statement recorded under section 164 Cr.P.C it is revealed that the mother of the victim lend money to the petitioner and his wife and in order



to collect the same she called him and whenever he visited his house he used to have acquaintance with the victim. Further the petitioner herein promised that he will marry the victim girl and had penetrative sexual assault on the minor victim girl on many occasions. The petitioner has committed a very serious and heinous offence as against the minor victim girl, hence this Court is not inclined to grant bail to the petitioner.

5.Hence the petition stands dismissed.

sd/-

20/03/2023

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/03/2023

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

AAV

TO

- 1 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 2 THE INSPECTOR OF POLICE, MATHUR POLICE STATION, TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5208 of 2023

Date :20/03/2023

RS/MMS/SAR-4 (27.03.2023) 2P 4C