



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2023

PRESENT

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

CRL OP(MD). No.5485 of 2023

Sivaraman, ... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
K.Pudur Police Station,
Madurai District.
Crime No.07 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Veerakumar T, 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.07 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 10.01.2023 for the offence punishable under Sections 3 (c)r/w.4,11(i)(iv)r/w.12,11(i)(v) r/w.12,14(ii) and 17 of POCSO Act, 2012 and sections 387 and 392 of IPC and sections 67(B)(e) & 67(A) of Information Technology Act, 2000 in crime No.7 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A3 had enticed the victim girl to Melavalavu outskirts where he had committed penetrative sexual assault. At that time the other accused A1 and A2 had came there and took videos of the sexual intercourse of the petitioner and the victim girl and thereafter A1 and A2 threatened the victim girl and taken the cash and jewels, 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.

<https://www.mh.gov.in/judis>



4. On perusal of the statement recorded from the victim, it is revealed that the petitioner had taken her to the remote place and had penetrative sexual assault on the victim girl. A1 and A2 came there and they threatened the petitioner herein to buy cigarette and when he went to buy cigarette A1 and A2 threatened the victim and had committed penetrative sexual assault on her and they have also taken videos of the same and showing the same, they also extracted money from her. Therefore 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/-
24/03/2023

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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 PRISON, VIRUDHUNAGAR.
- 2 THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5485 of 2023
Date :24/03/2023

PKP/CG/SAR-1/30.03.2023/ **2P/4C**