



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/03/2023

PRESENT

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

CRL OP(MD) . No.6047 of 2023

Vinoth @ Vinothkumar

... Petitioner/Accused No.2

Vs

State Rep.by
The Sub Inspector of Police,
K.Pudur Police Station,
Madurai
(Crime No.7 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Muneeswaran B,
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.7 of 2023 on the file of the respondent police

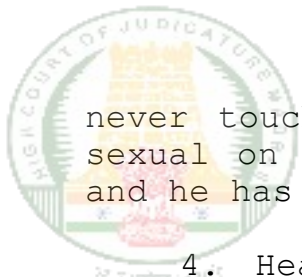
ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 10.01.2023 for the offences under sections 3(c), 4,II(I), 11(IV), 11(V) r/w.12,14(2),17 of Protection of Child from Sexual Offences Act 2012 and 387, 392 of IPC and 67(B)(e), 67(A) of Information Technology Act 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.The learned counsel for the petitioner would submit that even according to the case of the prosecution is arrayed as A2. The petitioner has played no role as alleged by the prosecution. He

<https://www.mca21.in/judis>



never touched the victim girl and never committed any pe: 7e
sexual on the victim. He only accompanied with the first accused
and he has not committed any other offence, hence he seeks bail.

4. Heard both sides and perused the materials available on
record including the First Information Report.

5. On perusal of the statement recorded from the victim under
section 164 Cr.P.C it is revealed that the third accused who
happened to be the lover of the victim had taken her to the remote
place A1 and A2 came there and they threatened A3 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.

6. Hence the petition stands dismissed.

sd/-

31/03/2023

/ TRUE COPY /

/04/2023

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

AAV

TO

1 THE OFFICER INCHARGE, SUB JAIL, VIRUDHUNAGAR DISTRICT.

2 THE SUB INSPECTOR OF POLICE, K.PUDUR POLICE STATION,
MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.M.MARICHELLIAHPRABHU, Advocate (SR-5264[I] dated
31/03/2023)

ORDER

IN

CRL OP(MD) No.6047 of 2023

Date :31/03/2023

RS/BUC/SAR-2 (06.04.2023) 2P 5C