



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/04/2023
PRESENT

WEB COPY

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

CRL OP(MD) . Nos.6532 and 6533 of 2023

P.Jothi Murugan

... Petitioner/Accused 1
in both petitions

Vs

The State rep.by
The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
(Crime Nos.766 and 767/2021).

... Respondent/Complainant
in both petitions

(In both petitions)

For Petitioner : M/s.K.P.S.PALANIVEL RAJAN, Senior Advocate
for M/s.MANIYARASU K C, Advocate

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

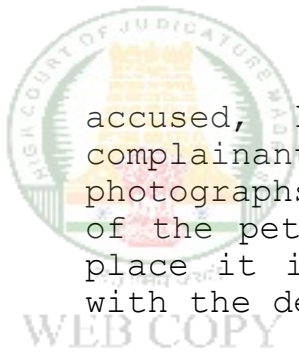
COMMON PRAYER :- For Bail in Crime no.766 and 767 2021 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioner/A1 in Crl.O.P.(MD)No.6533 of 2023, who is facing trial in Spl.S.C.No.4 of 2022 on the file of the learned Fast Track Mahila Judge, Dindigul in Crime No.767 of 2021 for the offence punishable under Section 506(i) IPC and Sections 7, 8, 9(f), 10, 16 and 17 of POCSO Act, seeks bail.

2.The petitioner/A1 in Crl.O.P.(MD)No.6532 of 2023, who is facing trial in Spl.S.C.No.3 of 2022 on the file of the learned Fast Track Mahila Judge, Dindigul in Crime No.766 of 2021 for the offence punishable under Sections 109 and 506(i) IPC and Sections 7 and 8 of POCSO Act, seeks bail.

3.In both the cases, the de-facto complainants were studying first year B.Sc., in the Nursing College of the petitioner and the petitioner is the Correspondent of the said College. The case of the prosecution, in Crl.O.P.(MD)No.6533 OF 2023, is that on 15.09.2021 at the time of welcome day function for the first year students, the



R.



2.

accused, by placing his hands on the hips of the complainant had attempted to misbehave and compelled her to take photographs. Furthermore, on 30.09.2021, after the birthday function of the petitioner, he directed the victim girl to bring a soap and place it in his room, at that time, the petitioner had misbehaved with the de-facto complainant. Hence, the case.

4.The case of the prosecution, in CrI.O.P.(MD)No.6532 OF 2023, is that on 13.11.2021, after completion of awareness programme, the de-facto complainant went to the office of the petitioner for handing over the costumes, that though some other girls were present at that time, the petitioner had directed all other girls to leave that place and specifically directed the de-facto complainant to remain there and thereafter, he misbehaved with her and also threatened her. Hence, the case.

5. The learned Senior counsel appearing for the petitioner would submit that in both cases the prosecution has almost completed investigation and there is no question of hampering the investigation. In fact this Court had earlier dismissed the bail applications filed by the petitioner on the ground that if the petitioner is released on bail he will hamper the investigation. Further he submitted that the petitioner was arrested and remanded to judicial custody on 08.04.2022 and he is in judicial custody from 08.04.2022.

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

7.This is the second application for bail and the earlier applications for bail were dismissed by this Court on 02.01.2023 in CrI.O.P(MD) Nos.23119 and 23141 of 2022. Further the petitioner being a Correspondent of the College had committed very serious and heinous offence as against the victims who are the students of the said college. In fact in one of the crime number the victim had categorically deposed about overt act of the petitioner. Further there is no change in circumstances of the case to consider the present bail petition even after dismissal of the earlier petitions, hence this court is not inclined to grant bail to the petitioner.

8. Hence these petitions stand dismissed.

sd/-

10/04/2023

/ TRUE COPY /

/04/2023

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



AAV
TO



1 THE INSPECTOR OF POLICE,
THADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

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

COPY TO:

THE FAST TRACK MAHILA JUDGE,
DINDIGUL.

ORDER

IN

CRL OP (MD) . Nos.6532 and
6533 of 2023

Date :10/04/2023

SA/CG/SAR.4/19.04.2023/3P/5C