



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 24/04/2023
PRESENT

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

CRL OP(MD) . No.7535 of 2023

Nibash

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No.58 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Wins T,
Advocate.

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

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

PRAYER :- For Bail in Cr.No.58 of 2023 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 16.02.2023 for the offence punishable under Sections 376,354(C),294(b) and 506(2) of IPC in crime No.58 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had sexually assaulted the victim several time and had black mailed her, 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.This is the third application for bail and the earlier applications for bail were dismissed by this Court on 21.03.2023 in CrI.O.P(MD) No.5312 of 2023 and 10.04.2023 in CrI.O.P(MD) No.6508 of 2023 and there is no change in circumstances of the case to consider the present bail petition even after dismissal of the earlier petitions. That apart the petitioner is married man and having one



child and even thereafter he had compelled threatened her
video call and he also compelled her to remove her dress and he
has taken screen shot of the same and also threatened her and
committed rape on her, hence this court is not inclined to grant
bail to the petitioner.

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5. In the result, the petition stands dismissed.

sd/-

24/04/2023

/ 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,
THENKARAI POLICE STATION,
THENI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER**IN**

CRL OP(MD) No.7535 of 2023
Date :24/04/2023

SA/BUC/SAR.4/27.04.2023/2P/4C