



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/04/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.7981 of 2023

Sahaya Delwin Raj,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No. 35/2023.

... Respondent/Complainant

For Petitioner : M/s.David Ganesan.J,Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)

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

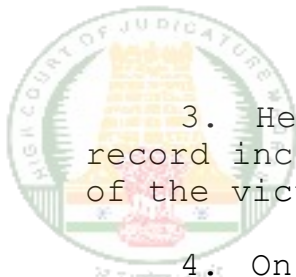
PRAYER :-

For Bail in Crime No. 35 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 17.03.2023 for the offence punishable under Sections 10r/w.9(f),12r/w.11(i)(iii), 18 of Protection of Children from Sexual Offences Act 2012 @ 10 r/w.9(f),12 r/w.11(i)(iii), 18 of POCSO Act and 506(i) of IPC in crime No.35 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner who is the teacher of the victim has sexually assaulted the victim girl by making obscenes gestures with sexual intent showing obscene picture to her in cell phone, squeezing her chest with his hands, holding her and kissed her and he also threatened her that he would destroy her and he family members if she conveys the same to any one, hence



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. On perusal of the statement recorded under section 164 Cr.P.C it is revealed that the petitioner is a teacher of the victim girl. When the victim girl went to this house of the petitioner for tuition he compelled her to watch phonography videos and he also sexually harassed the victim girl. That apart he also tried to hug and kiss her. He also threatened her not to disclose the same to any one. The petitioner being a teacher of the victim girl 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. In view of the same, the petition stands dismissed.

sd/-

27/04/2023

/ TRUE COPY /

/05/2023

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

AAV

TO

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

+1 CC to M/s.DAVID GANESAN.J, Advocate (SR-7062[I] dated 28/04/2023

ORDER

IN

CRL OP(MD) No.7981 of 2023

Date :27/04/2023

PKP/CG/SAR-3/04.05.2023/ **2P/5C**