



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/05/2023
PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8612 of 2023

1.Thirupathi
2.Muniyasamy

... Petitioners/Accused 1 & 2

Vs

The State rep by
The Inspector of Police,
Avaniyapuram Police Station,
Madurai City,
(Crime No.319 of 2013)

... Respondent/Complainant

For Petitioner : M/s.Santhanam Rajesh Kumar.B,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.319 of 2013 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who was arrested and remanded to judicial custody on 04.03.2023 for the offences punishable under Sections 366(A), 376, 511, 506(ii) IPC and Section 4 of POCSO Act in Crime No.319 of 2013 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners forcibly took the daughter of the defacto complainant and sexually assaulted her.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent raised an objection stating that since the petitioners are not cooperating for the trial, the trial could not be completed. Hence, opposed this petition.



5. Taking into consideration the fact that due to the non cooperation of the petitioners, the trial could not be completed and if the petitioners are enlarged on bail, there is a possibility of absconding, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed. The trial Court is directed to complete the process of trial within a period of two months from the date of receipt of a copy of this order.

sd/-

17/05/2023

/ TRUE COPY /

19/05/2023

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

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TO

- 1 THE DISTRICT AND SESSIONS JUDGE,
MAHILA COURT, MADURAI
- 2 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
- 3 THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

- 1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8612 of 2023

Date : 17/05/2023

SA/CG/SAR.4/19.05.2023/2P/7C

<https://www.mhc.tn.gov.in/judis>