



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2023

PRESENT

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

CRL OP(MD) . No.8971 of 2023

Suhail Rashith

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Puliyankudi Police Station,
Tenkasi District.
(Crime No.93 of 2023)

... Respondent/Complainant

For Petitioner : M/s.Jinnah.S.M.A, Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.93 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 judicial custody on 29.03.2023 for the offences punishable under Sections 363 of IPC r/w.3(d),5(m) and 6 of POCSO Act in Crime No.93 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner said to have committed penetrative sexual assault on the minor victim aged about 9 years. Hence the case came to be registered.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that due to previous enmity this false case has been foisted against the petitioner. He further submits that the petitioner is in judicial custody from 29.03.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor would submit that the petitioner said to have committed penetrative sexual assault on the



minor victim aged about 9 years, hence he objected to grant to the petitioner.

5. A perusal of the statement recorded under section 164(3) reveals the fact that the petitioner had taken the victim to the remote place and had committed penetrative sexual assault on the minor victim girl. Taking into consideration the serious and heinous offence committed by the petitioner against the minor victim girl, this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-

18/05/2023

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/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, PULIYANKUDI POLICE STATION,
TENKASI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.8971 of 2023

Date :18/05/2023

RS/CG/SAR-(22.05.2023) 2P 4C