



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 20/06/2023

PRESENT

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

CRL OP(MD). No.10837 of 2023

M.Palani @ Palanisamy,

... Petitioner/Accused

Vs

The state rep.by  
The Inspector of Police,  
Karaikudi All Women Police Station,  
Sivagangai District.  
(Crime No. 4 of 2023)

... Respondent/Complainant

For Petitioner : M/s.Pugalendhi S,  
Advocate.

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

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

PRAYER :-

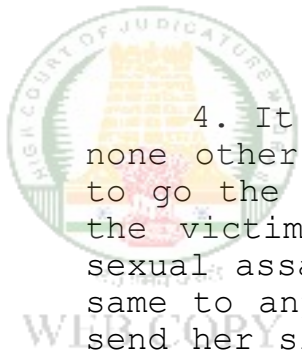
For Bail in Crime No. 4/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused who was arrested and remanded to judicial custody on 27.01.2023 for the offences under sections 5(1), 5(j),5(n) r/w.6 of POCSO Act in Crime No.4 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner herein threatened and committed aggravated penetrative sexual assault on the minor victim girl on several occasions, hence the case.

3. Heard both sides and perused the materials available on <https://www.mca.gov.in/> including the First Information Report.



4. It is seen that the petitioner is the sole accused. There is none other than the victim's elder sister's father-in-law. He used to go to the victim's house. The victim is aged about 15 years. While the victim was alone in her house, he had committed penetrative sexual assault on her and also threatened her not to disclose the same to anybody and if she discloses the same to anybody he will send her sister out from the matrimonial home. Therefore the victim did not disclose the same to anybody. Due to aggravated penetrative sexual assault the victim got pregnant and later it was aborted. Further the petitioner who is aged about 50 years had committed very serious and heinous offence as against the minor victim hence this Court is not inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

sd/-

20/06/2023

/ TRUE COPY /

/06/2023

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

**AAV**

TO

1. THE SUPERINTENDENT,  
SUB JAIL, RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,  
KARAIKUDI ALL WOMEN POLICE STATION,  
SIVAGANGAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10837 of 2023

Date : 20/06/2023

SI/(26.06.2023) 2P/ 4C