



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.11167 of 2023

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Dharmar

... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
All Women Police Station, Kamuthi,
Ramanathapuram District.
(Crime No.5 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Jeyaram A,
Advocate.

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

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

PRAYER :-

To release the petitioner/accused on bail in Spl.S.C.No.70 of 2022 on the file of the Sessions Judge(Fast Track Mahila Court), Ramanathapuram pending trial.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 26.04.2022 for the offence punishable under Sections 363,294(b),506(i) of IPC and sections 5(k),5(l),5(m) and 6 of POCSO Act in crime No.5 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein who is aged about 58 years had committed penetrative sexual assault on the minor victim girl aged about 10 years , 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. On perusal of the statement recorded under section 164 Cr.P.C reveals the fact that that the victim is aged about 10 years and she was subjected to penetrative sexual assault by the petitioner herein. That apart the victim is also a special child. Further in this case investigation has been completed and final report has been taken cognizance in Spl.S.C.No.70 of 2022 and trial is going on. Further the petitioner has committed a very serious and



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is not inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

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

AAV

TO

1. The Inspector of Police,
All Women Police Station, Kamuthi,
Ramanathapuram District.
2. The Superintendent, Central Prison, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.JEYARAM, Advocate (SR-9370[I] dated 22/06/2023)

ORDER

IN

CRL OP(MD) No.11167 of 2023

Date :22/06/2023

RD (04/07/2023) 2P 5C