



WEB COPY

CRL OP(MD). A



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

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

CRL OP(MD) . No.11634 of 2023

M.Saravanan,

... Petitioner/Sole Accused

Vs

The state rep.by
The Inspector of Police,
Tallakulam Police Station,
Madurai District.
(Crime No.318 of 2015).

... Respondent/Complainant

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

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

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

PRAYER :-

To enlarge the petitioner on bail in Spl.S.C.No.99 of 2018 on the file of the Hon'ble Sessions Judge, Special Court for the Exclusive Trail of POCSO Act Cases, Madurai in Crime NO.318 of 2015 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 15.03.2023 for the offence punishable under Sections 366 (A) of IPC and section 5(1) r/w.6 of POCSO Act in crime No.318 of 2015 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner under the pretext of love had committed penetrative sexual assault on the victim , 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. It is reported on the side of the prosecution that P.W.3 has been examined and the case is of the year 2018.

5. On perusal of the statement recorded under section 164 Cr.P.C it is revealed that the petitioner under the pretext of love had taken the victim to various places and committed penetrative sexual assault. Therefore the petitioner has committed a very serious and heinous offence as against the victim girl, hence this Court is not inclined to grant bail to the petitioner.

6. In the result the petition stands dismissed. However the trial Court is directed to complete the trial proceedings within a period of two months from the date of receipt of a copy of this order.

sd/-

30/06/2023

/ TRUE COPY /

30/06/2023

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

AAV

TO

1.THE HON'BLE SESSIONS JUDGE,
SPECIAL COURT FOR THE EXCLUSIVE TRIAL OF POCSO ACT CASES,
MADURAI.

2.THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE REGISTRAR JUDICIAL,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC TO M/S.VIGNESH A ADVOCATE SR.NO.9948, DT.30.6.2023.

ORDER

IN

CRL OP(MD) No.11634 of 2023

Date :30/06/2023