



CRL OP(MD). No.13136 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13136 of 2023

Velmurugan @ Pannimurugan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sivaksi All Women Police Station,
Virudhunagar District.
Crime No.23 of 2022.

... Respondent/Complainant

For Petitioner : M/s.VEERAPANDI P, Advocate

For Respondent : Mr.B.NAMBISELVAN,

Additional Public Prosecutor

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

PRAYER :- To release the petitioner on bail in connection with Spl.S.C.No.14 of 2023 in Crime No.23 of 2022 pending on the file of the (on the file of the learned Sessions Judge,Fast Track Mahila Court,Srivilliputhur,Virudhunagar District.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 11.12.2022, for the offences punishable under Section 506(1) of IPC and Sections 5(1), 5 (j)(ii) r/w 6 of POCSO Act in Spl.S.C.NO.14 of 2023 on the file of the learned Sessions Judge, Fast Track Mahila Court, Srivilliputhur, Virudhunagar District in Crime No.23 of 2022 on the file of the respondent police, seeks bail.



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2.This is the second petition for bail. The earlier petition was dismissed by this Court on 12.06.2023, considering the grievous allegation made against the petitioner. Now, seeking bail this petition has been filed.

3.The learned Additional Public prosecutor would submit that the victim is a mentally retarded child. The petitioner is having two children. He had committed aggravated penetrative sexual assault against the victim. In this case, trial has been commenced and out of 22 witnesses, 11 witnesses were examined and the trial would be completed within a period of three months. Hence, prays to dismiss the petition.

4.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5.Considering the above facts and circumstances of the case, vehement objection raised by the learned Additional Public Prosecutor and the stage of trial, this Court is of the view that if he is released on bail then he may abscond and hamper the trial. There is no change in circumstances. In view of the above, considering the heinous nature of offence, the petitioner is not entitled to get any discretionary relief from this Court, though this is the second petition for bail.

6.Accordingly, this Criminal Original Petition stands dismissed.

However, the learned Sessions Judge, Fast Track Mahila Court, Srivilliputhur,



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Virudhunagar District is directed to dispose of the trial in Spl.S.C.No.14 of 2023, within a period of three months, from the date of receipt of a copy of this order.

sd/-

19/07/2023

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/07/2023

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

PNM

TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL SUB-JAIL, VIRUDHUNAGAR.

3 THE INSPECTOR OF POLICE,
SIVAKSI ALL WOMEN POLICE STATION, VIRUDHUNAGAR DISTRICT.

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.13136 of 2023

Date :19/07/2023

SA/DD/SAR. /26.07.2023/3P/7C

Madurai Bench of Madras High Court is issuing
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