



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

Date : 03/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12067 of 2023

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Sridhar

... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
Sankarankovil, All Women Police Station,
Tenkasi District.
Cr.No.12/2023.

... Respondent/Complainant

For Petitioner : M/s.Veerapandi S P,

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 12 of 2023 on the file of the
Respondent Police.

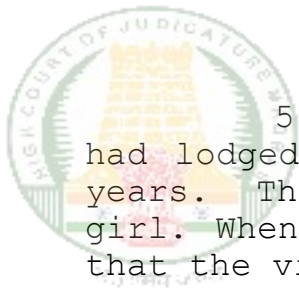
ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on
30.01.2023 for the alleged offence under Sections 5(1), 5(j)(ii) r/w
6 of POCSO Act, in Crime No.12 of 2023, on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that the accused had
committed aggravated penetrative sexual assault with the
victim/daughter of the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner submitted that the
petitioner is an innocent person and he has not committed any
offence as alleged by the prosecution. The petitioner is in custody
from 30.01.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor submitted that
the petitioner had committed aggravated penetrative sexual assault
with the victim. The investigation is not yet completed. DNA test
has to be conducted. Hence, prays to dismiss the petition.



5. Perusal of CD records show that the defacto co-accused had lodged a complaint stating that the victim was aged about 15+ years. There is some sort of affair between the accused and victim girl. When the girl was admitted in the hospital, it came to know that the victim was three months pregnant.

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6. On considering the age of victim, gravity of offence and the DNA Test has to be conducted, if the petitioner is released on bail at this stage, he may tamper the material evidence, which would hamper the investigation. In view of the above, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

03/07/2023

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/ 07 /2023

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

PNM

TO

1. The Inspector of Police,
Sankarankovil, All Women Police Station,
Tenkasi District. Cr.No.12/2023.
2. The Superintendent, Central Jail, Palayamkottai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.12067 of 2023

Date :03/07/2023

RD(06/07/2023) 2P 4C