



CRL OP(MD). No.13011 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13011 of 2023

Sridhar

... Petitioner/Sole Accused

Vs

State, represented by
The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tenkasi District.
(Crime No.12 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.P.Veerapandi,
Advocate.

For Respondent : Mr.B.Nambiselvan,
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



CRL OP(MD). No.13011 of 2023

WILSON P ORDER : The Court made the following order :-

The petitioner/Sole 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 earlier bail application that was filed by the petitioner was dismissed on 03.07.2023, stating that DNA test has to be conducted.

5.The learned Additional Public Prosecutor submitted that the petitioner had committed aggravated penetrative sexual assault with the victim. The investigation is



CRL OP(MD). No.13011 of 2023

not yet completed. DNA samples have been collected from the accused and the victim girl and the same also sent to the laboratory. Hence, prays to dismiss the petition.

6. On considering the age of victim, gravity of offence and there is no change of circumstances, 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/-

18/07/2023

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/08/2023

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

TO

1. THE SUPERINTENDENT,
CENTRAL JAIL,
PALAYAMKOTTAI.



CRL OP(MD). No.13011 of 2023

2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANKARANKOVIL,
TENKASI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13011 of 2023
Date :18/07/2023

RK /VRS(04/08/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023