



Crl.OP(MD)No.13358 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Dated: 25/07/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.13358 of 2023

Muniyan @ Sathanantham

: Petitioner/ Accused No.17

Vs.

State Rep.by
The Inspector of Police,
All Women Police Station,
Karur, Karur District.
(Crime No.45 of 2022)

: Respondent/ Complainant

For Petitioner	:	Mr.B.Santhanam Rajesh Kumar, 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.45 of 2022 on the file of the respondent police.

ORDER: The Court made the following order:-

The petitioner/A17, who was arrested and remanded to judicial custody, on 02/06/2023 for the offences punishable under sections 342, 376, 506(i), 34 IPC r/w 4, 6, 5(1), 11((V) & 17 of the Protection of Children From Sexual Offences Act, 2012 r/w 3(2)(a) r/w 4(1), 5(1) of Immoral Traffic Act and section 77 of the Juvenile Justice Act, 2015, in Crime No.45 of 2022 on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the prosecution is that the de-facto complainant is the Social Welfare Officer of the Child Welfare Branch, Karur. She has stated in the complaint that one child aged about 15 years came to her office and stated that her father deserted and after the death of the mother, she is living along with her sister. On 14/05/2022, she was scolded by her sister for not attending the domestic work. At that time, one Santhi came to her house and took her to her house saying that she must stay for some-time. She went along with the above said Santhi and stayed in her house. She has also stated that she will admit her in a school. On one day, she suffered stomach pain, some drink was given by the above said Santhi, she fell asleep. On the next day, she found her without any dress in the room belongs to the above said Santhi. She made enquiry with the above said Santhi, at that time, she has shown some photographs containing some obscene videos. She was threatened by Santhi, later the above said Santhi asked her to do some illegal activities with one Vinoth @ Iyyappan. When she refused, she was assaulted and forcibly administered with some drinks. The above said person subjected her to sexual intercourse. Similarly, another person was brought by one Mayadevei and repeated sexual harassment has been made by subjecting her to sexual assault, etc. Later, she informed the above said occurrence to her sister. All the four persons criminally intimidated not to disclose the same to others. On the basis of the above said



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information furnished by the Social Welfare Officer, a case in Crime No.45 of 2022 has been registered for the offences stated above.

3.This petitioner is arrayed as A17 and arrested on 03/06/2026. Seeking bail, this petition has been filed on the ground that only limited allegation has been made against this petitioner stating that he threatened the victim girl and her sister and many of the prime accused have been enlarged on bail. The learned counsel appearing for the petitioner would mainly rely upon the order passed by this court in Crl.OP(MD)No.5543 of 2023, dated 24/03/2023.

4.Heard both sides.

5.A serious allegation of subjecting a minor girl to prostitution.

6.Perusal of the CD file shows that the earlier application filed by this petitioner was dismissed by this court in Crl.OP(MD)No.8626 of 2023, dated 10/05/2023 stating that the petitioner is a History Sheet person.

7.Reading of the remand report concerning this petitioner reveals many things. In pursuance of the above said subjection of the victim girl to forcible prostitution, this petitioner along with other accused made a threat to the victim as well as her sister and he was arrested on 02/06/2023.

8.Considering the antecedents of the petitioner only, the earlier bail application was dismissed by this court. There is no guarantee that if the petitioner is released on



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bail, he may not again threaten the victim girl and her sister.

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9.As mentioned above, serious allegation has been made against this petitioner and some of the persons have been detained under Act 14 and some of the persons have been enlarged on bail, after the statutory period. So, those bail orders cannot be taken advantage by this petitioner. Similarly, A12 bail cannot be taken into consideration, because she was not a history sheet person.

10.Considering the seriousness of the allegation and also considering the antecedents of this petitioner, he is not entitled for bail. If he is released on bail, he may cause threat to the victim and her sister.

11.So, I find no merit in this petition. Accordingly, this criminal original petition is dismissed.

sd/-
25/07/2023

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/08/2023

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

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To

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT.



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2 THE OFFICER INCHARGE
SUB JAIL, KARUR.

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

ORDER
IN
CRL OP(MD) No.13358 of 2023
Date :25/07/2023

RS/DD/SAR-(02.08.2023) 5P 4C
Madurai Bench of Madras High Court is issuing
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