



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14649 of 2023

Sekar

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
All Women Police Station, Alangudi,
Pudukkottai District.
In Crime No.4/2022.

... Respondent/Complainant

For Petitioner : M/s.Joel Paul Antony A,
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.4/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 06.03.2022 for the alleged offence under Sections 5(l), 5(n), 5(j)(ii) r/w 6(1) of POCSO Amendment Act, 2019, in Crime No.4 of 2022, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner herein, who is the father of the minor victim had committed penetrative sexual assault on the minor victim, due to which, she got pregnant and later it was aborted. Hence, the complaint.

3.Earlier petitions filed by the petitioner was dismissed considering the grievousness of the offence. The investigation has been completed and the trial has been commenced before the Special Court. Already witness warrant against L.W.1 is pending. The respondent police is present before this Court today and submitted that in spite of best effort taken by the respondent herein to secure the L.W.1 who is the victim girl, there was no fruitful result. The petitioner is in judicial custody for more than a year. Without examination of the victim girl, the trial is not going to be concluded.

4.In view of the above and considering the period of incarceration only, this Court is inclined to grant bail to the petitioner with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/-

(Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction

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



of the learned Sessions Judge, Mahila Court, Pudukottai and on further condition that the petitioner shall report before the trial Court daily at 10.30 a.m. until further orders. In the meantime, efforts be taken by the respondent police to secure the victim girl and produce before the trial Court.

sd/-
27/09/2023

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27/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1. The Sessions Judge, Mahila Court, Pudukottai.
 2. The Superintendent, Central Prison, Trichy.
 3. The Inspector of Police,
All Women Police Station, Alangudi,
Pudukkottai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-14308[I] dated 27/09/2023)



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ORDER
IN
CRL OP(MD) No.14649 of 2023
Date :27/09/2023

SSA/27.09.2023/4P/6C

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