



CRL OP(MD). No.14848 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14848 of 2023

Prabudeva

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli City.
Cr.No.258 of 2023.

... Respondent/Complainant

For Petitioner : M/s.K.Bharathi, Advocate.
For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.258 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested and remanded to judicial custody on 14.07.2023, for the offences punishable under Sections 7 and 8 of POCSO Act, 2012 and Sections 305 r/w 511 of IPC in Crime No.258 of 2023, seeks bail.



CRL OP(MD). No.14848 of 2023

WEB COPY

2. The case of the prosecution is that the defacto complainant/ victim is studying in 11th standard in AV Joseph Government Higher Secondary School, Ittamozhi. On 16.06.2023, she returned to home after attending school and went for nature's call. At that time, the petitioner alleged to have come behind and sexually harassed her. Because of that incident, she committed suicide by pouring kerosene. That was prevented by family members. She was not taken to hospital because the neighbours informed that automatically kerosene will come out. On 19.06.2023, the above said occurrence came to the notice of the child welfare officer. Based upon which a case was registered.

3. The learned counsel for the petitioner would submit that the defacto complainant is in love affair with one person, that was seen by the petitioner and the petitioner informed the same to the victim's family members. The victim / defacto complainant was warned by her family members, upon which only the suicide attempt said to have been taken place. Over the enmity, a false case has been foisted against the petitioner by the defactoc complainant.

4. Absolutely, there is no ground for believing this version at this stage. Reading of the CD file does not indicate any love affair of the defacto complainant.

5. Considering the gravity of the offence, committed by the petitioner, this Court is not inclined to grant relief to the petitioner. If he is released on bail, he may



CRL OP(MD). No.14848 of 2023

tamper the evidence.

WEB COPY

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

16/08/2023

/ TRUE COPY /

/09/2023

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

pnn

To

1 THE INSPECTOR OF POLICE, THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.14848 of 2023

Date :16/08/2023

RS/VRS/SAR-(07.09.2023) 3P 4C

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