



Crl.OP(MD)No.14994 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 07/09/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.14994 of 2023

Rameshkannan

: Petitioner/Sole Accused

Vs.

The Inspector of Police,
Parthibanur Police Station,
Ramanathapuram District.
(Crime No.110 of 2023)

: Respondent/Complainant

For Petitioner : Mr.K.Sathish 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.110 of 2023 on the file of the Respondent Police.



Crl.OP(MD)No.14994 of 2023

ORDER: The Court made the following order:-

The petitioner/sole accused, who was arrested and remanded to judicial custody, on 06/06/2023 for the offences punishable under sections 363, 376(iii), 506(ii) IPC and sections 5(u) & 6 of POCSO Act, in Crime No.110 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl is studying 8th standard. She used to go to the school by an auto belongs to one Rameshkannan. On the particular day, the victim girl was taken by the accused to a pump set area. On 09/05/2023, at about 01.00 pm, when the victim girl was working in the field, the accused came there, took her to motor pump set, hugged her and also sexually exploited. On the basis of the above said occurrence, the case was registered, on 06/06/2023 for the offences stated above. He was arrested and remanded to judicial custody.

3.This petition has been filed seeking bail.

4.The earlier application that was filed by the petitioner came to be dismissed by this court on merits. This second petition has been filed on the ground that a

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Crl.OP(MD)No.14994 of 2023

compromise talk is going on at the village level. On that account, the victim's father and victim were also directed to be present before before this court and they have stated that no such compromise is going on at the village level.

5.Perusal of the CD file shows that on the particular date of occurrence, the victim girl was taken to a remote place, where she was sexually exploited. The the victim girl age is only 13 years at the time of the alleged occurrence.

6.Medical result received, but does not indicate the presence of semen in the vaginal and other dress materials of the victim. Examination of the victim girl also does not indicate any injuries on the private parts.

7.In this context, the learned counsel appearing for the petitioner would submit that because of some civil issue only, a false complaint has been given. But on enquiry with the victim girl does not indicate any such civil issue between the victim's father and this petitioner. Now, final report has also been filed, on 08/08/2023.



Crl.OP(MD)No.14994 of 2023

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8. Apart from that, it is also seen that the petitioner is also having one previous case, but it ended in acquittal. Other particulars are not available.

9. Now whatever it may be, serious allegation has been made against this petitioner and final report has been filed, I find no reason to entertain this petition. If released on bail, there is every likelihood of tampering the trial process and influencing the witnesses. So this petition deserves dismissal. But however, liberty is granted to the petitioner to revive the bail application after examination of the material witnesses are over before the trial court.

10. In the result, this criminal original petition is dismissed.

sd/-
07/09/2023

/ TRUE COPY /

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

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To,

1. THE OFFICER IN CHARGE,
DISTRICT JAIL,
RAMANATHAPUAM.



Crl.OP(MD)No.14994 of 2023

2.THE INSPECTOR OF POLICE,
PARTHIBANUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.14994 of 2023
Date :07/09/2023

RK/VRS (11/09/2023) 5P / 4C

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