



CRL OP(MD). No.15212 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15212 of 2023

Ganesamani

... Petitioner / Accused No.1

Vs

The State through the
Inspector of Police,
All Women Police Station,
Sivakasi,
Virudhunagar District.
(Crime No.17 of 2022.)

... Respondent / Complainant

For Petitioner : M/s.G.R.Satish, 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.17 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, was arrested and remanded to judicial custody for the offences punishable under Sections 4(1), 5(1)(c) Immoral Traffic (Prevention) Act, 1956 and Section 4,5,6 of Child Marriage Restraint Act, and Section



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5(1) r/w 6, 13 r/w 14(1), 15 of POCSO Act, 2012, in Crime No. 17 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the victim girl who is aged about 16 years, were in love with each other and the Accused Nos.3 and 4, who are the parents of the petitioner and the victim girl, arranged marriage. Thereafter, due to financial issue, the petitioner had involved the victim girl in illegal relationship with the Accused Nos.2,5 to 8. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Learned counsel for the petitioner is in custody for more than eight months.

4. The learned Government Advocate (Crl.side) would submit that the petitioner moved the trial Court for bail that was dismissed after that approached this Court by way of filing repeated applications and all are dismissed. Seven witnesses have been examined. So far one witness has been examined in chief and the petitioner has not cross examined. Without cross examining them, the petitioner moved this Court.

5. Considering the gravity of the offences and the nature of allegations that has been made against the petitioner, I find absolutely no reason to entertain this



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application. After examination of material evidence are over, the petitioner can revive the petition before the trial Court, without approaching the trial Court, the petitioner need not repeatedly approach this Court.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/08/2023

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/09/2023

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

PNN

To

1.The Inspector of Police,
All Women Police Station,
Sivakasi, Virudhunagar District.

2.The Officer Incharge,
Sub Jail, Virudhunagar.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :21/08/2023

ED/JGB/SAR- (11/09/2023) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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