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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15099 of 2023

Jeyaseelan

... Petitioner/ Accused

Vs

The State rep. by its
The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.
(Crime No.11 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.S.Maya Perumal,
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.11 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.06.2023
for the offence under section 376(3) of IPC and Sections 7 r/w.8 and 5(1), 5(j)(ii) r/w.



6 of Protection of Children from Sexual Offences Act, 2012, in Crime No.11 of 2023 on the file of the respondent police seeks bail.

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2.The case of the prosecution as per the defacto complainant is that he was married to one Palaniyammal in 2003 and a female child was born to them in 2009. In 2019 because of difference of opinion, said Palaniyammal seperated from him along with the child and she was living at Rasapatti. But later, she had some sort of relationship with one Jeyaseelan and living with him along with the child. Inspite of repeated request, she did not return to the matrimonial home. On 24.04.2023 the defacto complainant's female child alone came to his house and informed him that she is not willing to live with his mother. On 20.06.2023, his daughter has stated that she is suffering from stomach pain and she was taken to hospital, where she was diagnosed and found that she is three months pregnant. On enquiry, she revealed that this petitioner is responsible for the above said pregnancy. On the basis of the above, the case was registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent. This petition is filed on the ground that actually the victim fell in love with the petitioner. Due to vengeance against his wife, the defact complainant has foisted a false complaint. There is no illegal relationship between the mother of the victim and the accused.



4. The learned Additional Public Prosecutor would submit that Final Report is made ready and the DNA report has not been received so far.

5. Considering the grievous nature of allegation that made against the petitioner, even though it has been stated by the petitioner that there was love between the victim and the petitioner, DNA report not yet received and if the petitioner is released on bail, he will tamper the witness and will make trouble to the victim girl, hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
18/08/2023

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

INDU
TO

1 THE OFFICER INCHARGE
DISTRICT JAIL
VIRUDHUNAGAR.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SATTUR,
VIRUDHUNAGAR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.15099 of 2023
Date :18/08/2023

SSA/VRS/11.09.2023/4P/4C

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