



CRL OP(MD). No.15860 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15860 of 2023

K.Abbas

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Jaihind Puram Police Station,
Madurai District.
Crime No.20 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Raja A,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

To release the Petitioner on bail in Spl.SC.No.59 of 2023 in Cr.No.20 of 2022 on the file of the Respondent.



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ORDER : The Court made the following order :-

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The petitioner/sole accused who was arrested and remanded to judicial custody on 25.11.2022 for the offences punishable under Sections 5(l),5(N),6 ,4(2) of POCSO Act in Crime No.20 of 2022 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the victim girl was sexually harassed by the accused on various occasions between the period October 2022 to November 2022 and when the same came to the knowledge of her mother the present case came to be registered.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution but he has been falsely implicated in this case by his wife since there is misunderstanding between them and further the correct date of occurrence has not been mentioned in the First Information Report. He would further submit that the petitioner is in judicial custody from 25.11.2022,hence he may be granted bail.



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4. The learned Additional Public Prosecutor would submit that the victim girl was sexually harassed by the accused on various occasions between the period October 2022 to November 2022. He would further submit that the offence committed by the petitioner is very grave in nature, hence he objected to grant bail to the petitioner.

5. Though investigation is completed and final report filed before the concerned Court, taking into consideration the gravity of offence charged against the petitioner and also the fact that the victim was not examined before the trial Court, this Court is not inclined to grant bail to the petitioner at this stage.

6. Hence the petition stands dismissed.

sd/-
01/09/2023

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

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TO
WEB COPY

1. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
2. THE INSPECTOR OF POLICE,
JAIHIND PURAM POLICE STATION,
MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15860 of 2023
Date :01/09/2023

SSA/JGB (07/09/2023) 4P /4 C

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