



CRL OP(MD). No.16446 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16446 of 2023

Balaji @ Manikandan

... Petitioner/Sole Accused

Vs

State, represented by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.238 of 2023).

... Respondent/Complainant

For Petitioner : Mr.VEERAPANDI SELVARAJ. S,
Advocate.

For Respondent : B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.238 of 2023 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/ sole accused herein, who was arrested on 05.08.2023 for the alleged offence under Sections 363 IPC and 9(I) r/w. 10, 11(i) r/w. 12 of POCSO Act, 2012, in Crime No.238 of 2023 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that on 13.06.2023 at about 12.00 p.m., the petitioner and the defacto complainant's son, who is studying 7th standard went to the



CRL OP(MD). No.16446 of 2023

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village well. At that time, the petitioner misbehaved with the victim boy and also sexually assaulted. On the ground of repeated sexual assault made upon the victim boys by the petitioner, the FIR has been registered on the basis of the complaint given by one Vijay. Thereafter, the petitioner was arrested and remanded to judicial custody. Now seeking bail, this application has been filed.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person. Because of some issue in the temple festival, false complaint has been given against the petitioner.

4. Considering the grievous offence that is committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Even reading of the statements of the victim boys does not indicate that there is motive between the defacto complainant and this petitioner. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
12/09/2023

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/10/2023

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

INDU
TO
1 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.

<https://www.mhc.in.gov.in/judis>



CRL OP(MD). No.16446 of 2023

2 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.16446 of 2023
Date :12/09/2023

SA/VRS/SAR. /11.10.2023/3P/4C

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