



CRL OP(MD). No.16900 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 20/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16900 of 2023

Dhineshkumar,

... Petitioner/Sole Accused

Vs

The State rep. by  
The Inspector of Police,  
Pudukottai All Women Police Station,  
Pudukkottai District.  
(Crime No.8/2023)

... Respondent/Complainant

For Petitioner : M/s.Vaigunth A.S.,  
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.8 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 12.07.2023 for the alleged offence under Sections 5(1), 5(j)(ii) r/w 6(1) of Protection of Child From Sexual



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Offences Act, 2019, in Crime No.8 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl, who is aged about 16 years, is studying in 10<sup>th</sup> standard. The petitioner committed penetrative sexual assault upon the victim girl. Since that was repeatedly occurred, the victim became pregnant and later delivered a child on 23.07.2023. Later the child died on 25.07.2023. In the meantime, the accused refused to marry her. At that time, she was threatened by the accused person and accused went to Kerala. Hence, the complaint.

3.On the ground that there is love affair between the victim girl and the accused person, this petition has been filed seeking bail.

4.Reading of the statement does not indicate about the love affair. It was stated in the statement that she was forcibly assaulted sexually by the petitioner in separate place. The above said assault continued for several times. Therefore, the victim became pregnant and gave birth a child. It was premature delivery. The child also dead. Though the counsel for the petitioner submitted that the petitioner is now ready to marry the victim girl, this Court is of the view that having known the age of



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the victim girl, the petitioner committed the above said offence. Therefore, he is not entitled for any relief from this Court at this stage. Considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this criminal original petition stands dismissed.

sd/-  
20/09/2023

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/10/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TM  
TO

1. The Superintendent, Central Prison, Trichy.
2. The Inspector of Police,  
Pudukottai All Women Police Station,  
Pudukkottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :20/09/2023

SSA/DD/17.10.2023/4P/4C

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