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

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17152 of 2023

Mohan raj

... Petitioner / Petitioner

Vs

State represented by
The Inspector of Police,
Ilupur Police Station,
Ilupur, Pudukkottai District.
Crime No. 173 of 2023.

... Respondent/Complainant

For Petitioner : M/s.V.Selvakumar
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.173 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused herein, who was arrested on 18.07.2023 for the alleged offence under Sections 342, 450, 506(i) of IPC and Section 5(1), 5(n) r/w 6(1) of Protection of Child from Sexual Offences (amendment) Act, 2019, in Crime No.173 of 2023, on the file of the respondent police, seek bail.



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2. The case of the prosecution is that the defacto complainant who is a victim girl, aged about 15 years, living with her grandparents. On 11.07.2023, when the grandparents are not available at home, the defacto complainant called the petitioner who is a relative of her, to buy tablets for stomach pain. At that time, the petitioner went to her home and sexually abused her and threatened her not to say anything about this incident. Based on the occurrence, a case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the earlier application was dismissed on the ground that the petitioner is involved in serious offences. If the petitioner is released on bail, he will abscond or tamper the witnesses. He further submitted that investigation is almost completed and final report will be filed within a short time.

5. Let the final report be presented immediately before the concerned Court.

He can approach the concerned Court for bail without approaching this Court.

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



6. With this direction, this Criminal Original Petition stands dismissed.

sd/-
22/09/2023

/ TRUE COPY /

/10/2023

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

TO

1 THE INSPECTOR OF POLICE
ILLUPUR POLICE STATION,
ILLUPUR.
PUDUKOTTAI DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKOTTAI.

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

ORDER
IN
CRL OP(MD) No.17152 of 2023
Date :22/09/2023

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