



CRL OP(MD). No.17242 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17242 of 2023

Sudhakar,

... Petitioner/ Accused

Vs

**State Rep.by
The Inspector of Police,
Keeranur All Women Police Station,
Pudukkottai District.
(In Crime No.9/2023).**

... Respondent/Complainant

**For Petitioner : M/s.Asif Mohamed.M,Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor**

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

PRAYER :-

To enlarge the petitioner on bail in Spl.S.C.No.25/2023 on the file of the Learned Sessions Judge, Mahila Court, Pudukkottai District and pass appropriate order to fit and proper of the Honble Court.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 07.05.2023 for the alleged offences under Sections 363, 506(i) of IPC and Section 5(l)5(n), 6(1) of POCSO Act, in

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



CRL OP(MD). No.17242 of 2023

Crime No.9 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant have three daughters. The petitioner is the husband of the first daughter. On 12.12.2022, when the 2nd daughter is studying 1st year College, the petitioner attempted to cause penetrative sexual assault on her. The defacto complainant warned the same. Thereafter, on 29.04.2023, the victim girl as well as the petitioner went to his parental home at Coimbatore. On enquiry, she informed that the accused by threatening her that her sister's life will spoiled by him, he committed sexual assault upon her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor has submitted that the final report has been filed and case is pending in S.C.No.25 of 2023 before the trial Court.

5.Considering the grievousness of the allegation that has been made against the petitioner, this Court is of the view that he is not entitled for any discretionary relief from this Court, even though the final report filed and taken cognizance. This petition deserves to be dismissed.



CRL OP(MD). No.17242 of 2023

6. Accordingly, this criminal original petition stands dismissed.

sd/-

25/09/2023

/ TRUE COPY /

/09/2023

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

TM

TO

- 1 THE SESSIONS JUDGE,
MAHILA COURT, PUDUKKOTTAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
KEERANUR ALL WOMEN POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT JAIL, PUDUKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17242 of 2023

Date :25/09/2023

PKP/JGB/SAR- /29.09.2023/ 2P/ 5C

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