



CRL OP(MD). No.19062 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19062 of 2023

V.Jayapal

... Petitioner/ Accused

Vs

State Rep.by
The Inspector of Police,
Cholapuram Police Station,
Thiruvidaimaruthur Taluk and
Thanjavur District.
Crime No.284 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.M.Ezhilarasan, Advocate
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.284 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused herein, who was arrested and remanded to judicial custody on 21.06.2023 for the alleged offence under Sections 355, 376(2)(1) IPC in Crime No.284 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 21.04.2023, the defacto complainant who is the mother of the victim girl has given a complaint that the petitioner has committed rape of her daughter. Hence the complaint.

3. Learned Additional Public Prosecutor submitted that final report has been filed in e-filing No.27001174 dated 19.10.2023 but not yet taken on file. He further submitted that the victim girl is a deaf and dumb person.

4. Learned counsel for the petitioner submitted that for more than 120 days, the petitioner is in custody.

5. Considering the fact that the victim girl is a deaf and dumb person on that ground the earlier petition was dismissed by this Court and also the fact that final report has been filed, this Court is not inclined to grant relief to the petitioner. If the petitioner is released on bail, he may abscond and he may tamper the witnesses.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/10/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn



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1 THE INSPECTOR OF POLICE, CHOLAPURAM POLICE STATION,
THIRUVIDAIMARUTHUR TALUK, THANJAVUR DISTRICT.

2 THE OFFICER INCHARGE, THIRUVIDAIMARUTHUR SUB JAIL,
THIRUVIDAIMARUTHUR.

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

+1 CC to M/s.M.EZHILARASAN, Advocate (SR-15514[I] dated 20/10/2023)

ORDER
IN

CRL OP(MD) No.19062 of 2023

Date :20/10/2023

RS/JGB/SAR-(01.11.2023) 3P 5C

Madurai Bench of Madras High Court is issuing
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