



CRL OP(MD). No.20085 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20085 of 2023

Pandirajan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Aruppukottai All Women Police Station,
Virudhunagar District.
(Crime No.20/2023)..

... Respondent/Complainant

For Petitioner : Mr.A.S.Vaigunth,
Advocate.

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.20/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody



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on 13.05.2023 for the alleged offences punishable under Sections 5(m),5(n),5(k),5(l) r/w. 6 of POCSO Act in Crime No.20 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that while the victim was alone in her home the accused committed penetrative sexual assault on the victim. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 13.05.2023, hence he seeks bail.

4.The learned Government Advocate(Crl.Side) appearing for the respondent Police would submit that the victim is aged about 9 years and she is a mentally retarded child and the accused is 20 years. He would further submit that the petitioner herein consumed tablet and committed sexual assault on the victim. Further he has also taken video of the same and threatened her not to disclose the same to anybody, hence she objected to grant bail to the petitioner. However he fairly concedes that no previous case is pending against the petitioner.

5.Taking into consideration the facts and circumstances of the case and also taking into consideration grave offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.



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6. hence the petition stands dismissed.

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23/11/2023

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

AAV

TO

- 1 THE INSPECTOR OF POLICE
ARUPPUKOTTAI ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

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Date :23/11/2023

SS/JGB/SAR- /30/11/2023/3P/4C

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