



CRL OP(MD)No.20375 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.20375 of 2023

Marimuthu

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
Sivakasi All Women Police Station,
Virudhunagar District.
(Crime No.11 of 2023)

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesan, 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.11 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.06.2023 for the alleged offence punishable under Sections 5(m), 5(1) r/w 6 POCSO Act, 2012 and Section 506(i) IPC in Crime No.11 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 13.05.2023, at about 01.00 pm., when the victim girl, who is nine years old, was playing in the accused house, he committed penetrative sexual assault on her. He also intimidated the victim that not to tell anybody about the occurrence. 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 30.06.2023, hence he seeks bail.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation in this case is completed and charge sheet



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also filed and the same was taken on file by the concerned Court below in
Spl.S.C.No.123 of 2023. She would further submit that the offence committed by the
accused is very serious in nature and if bail is granted to him, he will cause threat to
the witnesses. Therefore, she strongly objected to grant bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6.On perusal of FIR and statement of the victim recorded under Section 164
Cr.P.C., it is noticed that the petitioner herein committed penetrative sexual assault
on the minor girl. In view of the seriousness of the offence committed by the
petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this
criminal original petition is dismissed.

sd/-
15/11/2023

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

gns



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1. THE SUPERINTENDENT, CENTRAL PRISON
MADURAI

2. THE INSPECTOR OF POLICE,
SIVAKASI ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.20375 of 2023

Date :15/11/2023

SSA/DD/(22.11.2023)/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.