



CRL OP(MD). No.21098 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 G.ILANGO VAN

CRL OP(MD). No.21098 of 2023

S.Balaji @ Manikandan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.238/2023.

... Respondent/Complainant

For Petitioner : Mr.D.RAJABOOPATHY,
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.238/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ sole accused herein, who was arrested on 05.08.2023 for the alleged offence under Sections 363 IPC and 9(I) r/w. 10, 11(i) r/w. 12 of POCSO Act, 2012, in Crime No.238 of 2023 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that on 13.06.2023 at about 12.00 p.m., the petitioner and the defacto complainant's son, who is studying 7 th standard went to the village well. At that time, the petitioner misbehaved with the victim boy and also



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sexually assaulted. On the ground of repeated sexual assault was made on the victim boy by the petitioner, the FIR has been registered on the basis of the complaint given by one Vijay. Thereafter, the petitioner was arrested and remanded to judicial custody. Now seeking bail, this petition has been filed.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person. Because of some issue in the temple festival, false complaint has been given against the petitioner.

4. Considering the gravity of offence only, earlier application was dismissed.

5. The learned Additional Public Prosecutor would submit that Final Report is filed before the Mahila Court, Srivilliputhur and it was taken cognizance in Spl.S.C.No.144 of 2023.

6. Since Final Report is filed, let the petitioner approach the concerned Court seeking bail, without referring to this Court, after examination of material witnesses are over.

7. With the above said direction, this Criminal Original Petition is dismissed.

sd/-
23/11/2023

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



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TO

WEB COPY

1 THE DISTRICT AND SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER
POCSO ACT, 2012, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.21098 of 2023

Date :23/11/2023

SA/SKN/SAR. /30.11.2023/3P/5C

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