



CRL OP(MD). No.21220 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.21220 of 2023

1. Jefrin

2. Revindo

... Petitioners/ Accused No.1 and 2

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Tiruchendur,
Thoothukudi District.
Crime No.10/2023..

... Respondent/Complainant

For Petitioners :Mr.B.Micheal Sebastin,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.10/2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 11.04.2023 for the alleged offences punishable under Sections 5(g)r/w.6 of POCSO Act, 2012 and Section 67(B) of I.T.Act,2006 in Crime No.10 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the first accused fell in love with the victim and during the month of July 2021 when the victim was standing in front of St. Joseph Charity in Adaikalapuram, the accused came by two wheeler and the first petitioner took the victim on his two wheeler and went to Tiruchendure , took a room where the second accused held the victim and the first accused removed her dress and accused persons committed aggravated penetrative sexual assault on her repeatedly and recorded the same in their mobile phone. It is further alleged that the first accused posted the same in the whatsapp status and the second accused has sent the video to many people Hence the case.

3.The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in custody from 11.04.2023, hence he seek bail.



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4.The learned Government Advocate(Crl.Side) appearing for the respondent Police would submit that the accused persons committed aggravated penetrative sexual assault on the victim and had taken video of the same and thereafter the first accused posted the same in the whatsapp status and the second accused has sent the video to many people. He would further submit that the first accused was detained under Act.14 of 1982, hence he objected to grant bail to the petitioners.

5.Considering the facts and circumstances of the case and considering the serious offence committed by the first petitioner, this Court is not inclined to grant bail to the first petitioner. It is further represented that the second petitioner was detained under Act.14 of 1982

6. Hence the petition stands dismissed.

sd/-
24/11/2023

/ TRUE COPY /

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

AAV

TO

1 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI AT TIRUNELVELI DISTRICT.



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- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUCHENDUR,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.21220 of 2023
Date :24/11/2023

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

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