



CRL OP(MD). No.21819 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.21819 of 2023

Selvajothi

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.385/2023).

... Respondent/Complainant

For Petitioner : S.Vishnuvardhan, Advocate.
For Respondent : M/s.M.Aasha,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.385/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who arrayed as accused, was arrested and remanded to judicial custody on 03.10.2023 for the offences punishable under Section Girl Missing @ Section 366, 346 IPC and Sect 5(1), 6 and 17 of POCSO Act in Crime No.385 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the victim girl was at her sister's house, A1 and other accused have joined together and forcibly took the victim girl



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by a car belongs to the A3, to this petitioner's house. There, A1 had committed penetrative sexual assault upon the victim girl. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and hence, he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner herein had helped the accused to kidnap the victim girl and the A1 had penetrative sexual assault upon her. He would further submit that victim had stated in 164 Statement that there was a life threat from the petitioner and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the serious nature of allegations made against the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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1.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.

2.The Superintendent,
Central Prison,
Palayamkottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :07/12/2023

ED/ JGB /SAR- (21/12/2023) 3P / 4C

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