



CRL OP(MD) No.177 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.177 of 2024

MUTHU

... PETITIONER /SOLE ACCUSED

Vs

**THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VALLIYOOR,
TIRUNELVELI DISTRICT.
INCRIME NO.13/2022**

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.P.PRAVEENKUMAR, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

Prayer:

**TO ENLARGE THE PETITIONER ON BAIL IN SPL CC NO.90/2022 ON THE
FILE OF SESSIONS JUDGE, SPECIAL COURT FOR POCSO ACT
CASES,TIRUNELVELI DT.02.09.2023.**

ORDER : The Court Made the following order :-

The petitioner, who is facing trial in Spl.C.C.No.90 of 2022 on the file of the

learned Special Judge, Special Court for POCSO Act Cases, Tirunelveli, for the

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offences under Section 366 of I.P.C., and Sections 10 r/w 9(m), 9(1) of Protection of Children from Sexual Offences Act, 2012 in Crime No.13 of 2022, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 26.06.2022, at about 06.00 P.M., when the victim girl was standing in front of her house and at that time, the petitioner herein took the victim girl to the cashewnut garden which belonging to one Boopathi Nadar and gave her sexual torture to the victim girl and threatened her with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit already there is a pathway dispute between the petitioner and the defacto complainant and in order to settle the dispute, the defacto complainant gave a false complaint against him. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is completed and the charge sheet has also been filed before the concerned Court. He would further submit that if bail is granted to the petitioner, the trial will not be proceeded further. He would further submit that the trial Court posted the matter for arguments on 12.01.2024. Accordingly, he prays for dismissal of this petition.



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5. Considering the facts and circumstances of the case and also considering the gravity of offences, this Court is not inclined to grant bail to the petitioner herein.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
08/01/2024

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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES, TIRUNELVELI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VALLIYOOR,
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.177 of 2024
Date :08/01/2024

PKP/JGB/SAR /24.01.2024/ 3P/ 5C

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