



CRL OP(MD) No.432 of 2024

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

Thursday, the Eleventh day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.432 of 2024

MUTHU

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KUMBAKONAM,
THANJAVUR DISTRICT.
(CRIME NO.8 OF 2023)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.A.JOEL PAUL ANTONY, Advocate
For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.8 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on
15.05.2023 for the offences punishable under Sections 5(g), 5(m) and 6 of POCSO Act,
in Crime No.8 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant is the mother of



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the victim girl. The victim girl is aged about 8 years. On 14.05.2023, the petitioner along with another accused, committed sexual assault upon the victim girl. Hence, the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.22295 of 2023 was dismissed by this Court on 11.12.2023. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

5.Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner.

6.In the result, this Criminal Original Petition is dismissed.

sd/-

11/01/2024

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/01/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
KUMBAKONAM, THANJAVUR DISTRICT.



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2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-608[I] dated 11/01/2024)

ORDER

IN

CRL OP(MD) No.432 of 2024

Date :11/01/2024

RS/JGB/SAR-(22.01.2024) 3P 5C

Madurai Bench of Madras High Court is issuing
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