



CRL OP(MD). No.711 of 2024

WEB COPY

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

Date : 23/01/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.711 of 2024

V.Jayapal

... Petitioner/ Accused

Vs

The Inspector of Police,
Cholapuram Police Station,
Thiruvudaimaruthur Taluk,
Thanjavur District,
Crime No.284/2023.

... Respondent/Complainant

For Petitioner : No Appearance
For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.284/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

This is the fourth application. The petitioner/Sole Accused herein, who was arrested on 21.06.2023 for the alleged offence under Sections 355, 376(2)(1) of IPC in Crime No.284 of 2023, on the file of the respondent police, seeks bail.



CRL OP(MD). No.711 of 2024

WEB COPY

2.The case of the prosecution is that the petitioner and the defacto complainant are residing in the same street. The defacto complainant's daughter is deaf and dumb, who is aged about 29 years. She is residing with the defacto complainant. On 28.03.2023 at about 07.00 p.m. while the defacto complainant returned from work, her daughter embraced her and started crying and on enquiry, she informed her that the petitioner has physically abused her. The said incident was reported to the Panchayat and on the advise of the Panchayat, complaint has been lodged before the respondent police.

3.The learned Additional Public Prosecutor would submit that final report has been filed before the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur and the same was committed in P.R.C.No.13 of 2023 to the Mahila Court, Thanjavur. Now it is pending before the Mahila Court in S.C.No.294 of 2023. He further submitted that the victim girl is a deaf and dumb person.

4.There is no representation for the petitioner today.

5.Considering the physical condition of the victim girl on that ground earlier petition was dismissed by this Court. The final report was filed and taken cognizance on the file of the Mahila Court, Thanjavur, in S.C.No.294 of 2023. The petitioner can seek bail before the trial Court itself. This Court is not inclined to grant relief to the petitioner.



CRL OP(MD). No.711 of 2024

6. Accordingly, this Criminal Original Petition is dismissed.

WEB COPY

sd/--
23/01/2024

/ TRUE COPY /

/02/2024

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

TM

TO

- 1 THE JUDGE,
MAHILA COURT, THANJAVUR.
- 2 THE INSPECTOR OF POLICE
CHOLAPURAM POLICE STATION,
THIRUVIDAIMARUTHUR TALUK,
THANJAVUR DISTRICT
- 3 THE OFFICER INCHARGE,
PUDUKKOTAI DISTRICT JAIL, PUDUKKOTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.711 of 2024

Date :23/01/2024

SS/GS/SAR- /01/02/2024/3P/5C

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