



CRL OP(MD) No.858 of 2024

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

Tuesday, the Twentieth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.858 of 2024

PRABAKARAN @ PUDHUMALAR PRABAKARAN,

... PETITIONER / 2nd ACCUSED

Vs

**THE INSPECTOR OF POLICE
CBCID,
RAMANATAPURAM DISTRICT.
CRIME NO.1 OF 2023.**

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.KARTHIK.A, Advocate

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

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

PRAYER:

TO RELEASE THE PETITIONER ON BAIL CONNECTION WITH CR.NO.1 OF 2023 PENDING 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

04.03.2023 for the alleged offence punishable under Sections 363, 366(A), 376(3) and
<https://www.mhc.tn.gov.in/judis>



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372 IPC and Sections 5(1), 5(g), 6, 16 and 17 of the POCSO Act in Crime No.1 of 2023 in Spl.S.C.No.34 of 2023, seeks bail.

2. The case of the prosecution is that the accused persons committed gang rape upon the victim girl. Hence, the respondent Police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Hence, he prays for bail.

4. The learned Additional Government Pleader appearing for the respondent Police would submit that the petitioner and other accused persons committed gang rape upon the victim girl, aged about 15 years. He would submit that though bail granted to the co-accused, the Hon'ble Supreme Court seized up the matter. He would further submit that Accused Nos.1 and 2 are in prison till date and he vehemently opposed for grant of bail to the petitioner herein.

5. This Court perused 164 Cr.P.C. statement given by the victim girl.

6. On perusal of 164 Cr.P.C. statement, it is seen that there are serious

allegations made against the petitioner.

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7. In view of the above, this Court is not inclined to grant bail to the petitioner herein and accordingly, this Criminal Original Petition stands dismissed.

sd/-
20/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE INSPECTOR OF POLICE
CBCID,
RAMANATAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE
DISTRICT JAIL, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.KARTHIK, Advocate (SR-2264[I] dated 22/02/2024)

ORDER
IN
CRL OP(MD) No.858 of 2024
Date :20/02/2024

PKP/GS/SAR /23.02.2024/ 3P/ 5C

Madurai Bench of Madras High Court is issuing certified
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