



CRL OP(MD) No.1505 of 2024

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

Thursday, the First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1505 of 2024

PARAMESHWARAN

... Petitioner / Accused

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MARTHANDAM,
KANYAKUMARI DISTRICT.
(CRIME NO.12 OF 2023.)

... Respondent / Complainant

For Petitioner : M/s.S.Sivakumar, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.12/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on
31.05.2023 for the offences under Sections 366(a), 376(3) of IPC and Section 5(1) and



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6 of POCSO Act, in Crime No.12 of 2023 on the file of the respondent police, seeks
bail.

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2. The case of the prosecution is that A1 kidnapped the victim girl with the help of the petitioner and thereafter, the petitioner and A1 had committed the penetrative sexual assault upon the victim girl against her wish repeatedly. Hence, the case.

3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that this is the second bail petition. Earlier bail petition filed by the petitioner in CrI.OP(MD)No.21882 of 2023 was dismissed by this Court, on 05.12.2023. The petitioner has been suffering incarceration from 31.05.2023. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the statement of the victim girl recorded under Section 164 Cr.P.C., is against the petitioner and A1. This is the second bail petition. Earlier bail petition filed by the petitioner was dismissed by this Court, on 05.12.2023. Now, there is no change of circumstances. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that there is no change of circumstance, this Court is not inclined to grant bail to



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the petitioner.

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6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
01/02/2024

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

DSS

To

1.The Inspector of Police,
All Women Police Station,
Marthandam, Kanyakumari District.

2.The Superintendent,
Central Prison,
Palayamkottai.

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

ORDER
IN
CRL OP(MD) No.1505 of 2024
Date :01/02/2024

ED/ GS /SAR- (06/02/2024) 3P / 4C

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