



CRL OP(MD) No.2038 of 2024

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

Friday, the Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2038 of 2024

T.MURUGAN @ GURUSEELI

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT,
(CRIME NO.24/2023)

... Respondent / Complainant

For Petitioner : M/s.M.Mohana Bai, Advocate
for Mr.D.Venkatesh, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.24/2023 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who is facing trial for the offences punishable
under Sections 506(i) of IPC and Sections 5(1), 5(j)(ii) r/w 6 of the POCSO Act, in



CRL OP(MD) No.2038 of 2024

S.C.No.45 of 2023 on the file of the Fast Track Mahila Court, Dindigul, in Crime No.24 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.11.2022 at about 02.00 p.m, when the victim girl was going to attend her natural call to the isolated area, the accused threatened the victim girl by showing knife and committed aggravated penetrative sexual assault and continued the same on many occasions by threatening. Due to which, the victim girl got pregnant on 20.01.2023 and the same was aborted in the Government Medical College Hospital, Dindigul, on 28.01.2023 considering her health condition. Based on the statement recorded from the victim girl under Section 164 of Cr.P.C., the petitioner was arrested and remanded to judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that this is the fourth bail petition. Earlier petition filed by the petitioner in Crl.OP(MD)No.23321 of 2023 was withdrew by the petitioner on 03.01.2024. The petitioner is in judicial custody from 20.01.2023. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State would submit that this is the fifth bail petition. There is no change of circumstances. Hence,



CRL OP(MD) No.2038 of 2024

he vehemently, opposed to grant bail to the petitioner.

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

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
09/02/2024

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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,
Sanarpatti Police Station,
Dindigul District.

2.The Officer Incharge,
District Prison, Dindigul.

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

ORDER
IN
CRL OP(MD) No.2038 of 2024
Date :09/02/2024



CRL OP(MD) No.2038 of 2024

ED/ GS /SAR- (16/02/2024) 4P / 4C

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