



CRL OP(MD) No.2463 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2463 of 2024

ATHEESH

... PETITIONER/PETITIONER/1ST ACCUSED

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
NAGERCOIL.

(CRIME NO.13 OF 2019)

... RESPONDENT/RESPONDENT/COMPLAINANT

For Petitioner : MR.K.RAJESHWARAN, Advocate

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

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

PRAYER :

TO ENLARGE THE PETITIONER ON BAIL IN SPL.SC NO.40/2019 ON THE FILE OF THE SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, KANNIYAKUMARI AT NAGERCOIL IN CR.NO.13/2019 ON THE FILE OF THE RESPONDENT

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.06.2023 for the alleged offence under Sections 366(A), 376(D), 392, 506(i) IPC and

Section 5(g), 5(i), 6 and 8 of POCSO Act, in Crime No.13 of 2019, seeks bail.



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2.The case of the prosecution is that the petitioner and another person brought a girl to a temple in a two wheeler and committed sexual assault on that girl. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offences as alleged by the prosecution. Due to ulterior motive, the false case has been foisted against the petitioner. Hence, he prays to grant bail to the petitioner.

4.The learned counsel for the Government Advocate (Crl.Side) would submit that 17 previous cases are pending against the petitioner and the trial is started in the concerned Court. Hence, he vehemently opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of this case and on perusal of the statement recorded under Section 164 Cr.P.C., from the victim girl, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
16/02/2024

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/03/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
NAGERCOIL.

2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.2463 of 2024

Date :16/02/2024

RS/GS/SAR-(11.03.2024) 3P 4C

Madurai Bench of Madras High Court is issuing
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