



CRL OP(MD). No.3584 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.3584 of 2024

Sudhakar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Woman Police Station, Keeranur,
Pudukkottai District.
Crime No. 9/2023.

... Respondent/Complainant

For Petitioner : M/s.PRASANNA R,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- To enlarge the petitioner on bail in connection with the Crime No. 9 of 2023 on the file of the respondent police in Spl SC No. 25/2023 on the file of the learned Sessions Judge, Mahila court, Pudukkottai and pass such other orders.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 07.05.2023 for the alleged offence under Sections 363, 506(i) of IPC and Section 5(l)5(n), 6(1) of POCSO Act, in Crime No.9 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant have three

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daughters. The petitioner is the husband of the first daughter. On 12.12.2022, when the 2nd daughter is studying 1st year College, the petitioner attempted to cause penetrative sexual assault on her. The defacto complainant warned the same. Thereafter, on 29.04.2023, the victim girl as well as the petitioner went to his parental home at Coimbatore. On enquiry, she informed that the accused by threatening her that her sister's life will be spoiled by him, he committed sexual assault upon her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.Considering the grievous nature of offence committed by the petitioner, this Court dismissed the earlier petitions filed by the petitioner seeking bail.

5.The learned Government Advocate (Crl. Side) would submit that final report has been filed before the learned Sessions Judge, Mahila Court, Pudukkottai, which was taken cognizance in Spl.S.C.No.25 of 2023, which was posted for examination of witnesses.

6.Since final report was filed before the concerned trial Court and the trial is going to commence, the petitioner can approach the concerned trial Court itself seeking bail, without approaching this Court repeatedly. If any application is filed by the petitioner seeking bail, let the trial Court decide the same on its own merits and in



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accordance with law, without being influenced by any observation made by this Court in any of the orders passed.

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7. With the above said directions and liberty, this criminal original petition stands dismissed.

sd/-
11/03/2024

/ TRUE COPY /

/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
1 THE SESSIONS JUDGE,
MAHILA COURT, PUDUKKOTTAI.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

3 THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION, KEERANUR,
PUDUKKOTTAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.3584 of 2024
Date :11/03/2024

SA/JGB/SAR. /18.03.2024/3P/5C

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