



CRL OP(MD) No.3571 of 2024

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

Wednesday, the Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3571 of 2024

D.ALAGUMALAIKANNAN

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
NAGAIYAHUPURAM POLICE STATION,
MADURAI DISTRICT.
CRIME NO.21/2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.MARICHAMY. ,G Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.21/2023 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
26.06.2023 for the offence punishable under Sections 3(a), 4, 5(m), 6 of POCSO Act



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r/w. Section 506(i) IPC in Crime No.21 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner had committed penetrative sexual assault on the victim girl, who is aged about 10 years. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case and he is in judicial custody from 26.06.2023.

4. The learned Additional Public Prosecutor appearing for the respondent Police has produced the statement recorded under Section 164 Cr.P.C from the victim girl, and submitted that the victim girl is aged about 10 years and the petitioner had committed penetrative sexual assault on the victim girl. Hence, he opposed for grant of bail to the accused.

5. This Court perused the statement recorded under Section 164 Cr.P.C from the victim girl, wherein, there is an allegation against the petitioner that he had committed penetrative sexual assault on the victim girl, who is aged about 10 years. Considering the facts and circumstances of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

06/03/2024

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/03/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

- 1 THE INSPECTOR OF POLICE
NAGAIYAHPURAM POLICE STATION,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3571 of 2024

Date :06/03/2024

PKP/GS/SAR /18.03.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified
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