



CRL OP(MD). No.5385 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/04/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5385 of 2024

Parameshwaran

... Petitioner/ Accused

Vs

The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
Crime No.12/2023.

... Respondent/ Complainant

For Petitioner : Mr.S.Sivakumar
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of 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 on 31.05.2023 for the offence under



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Sections 366(A), 376(3) of IPC and Section 5(1) and 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 penetrative sexual assault on the victim girl repeatedly against her wish.

3.The learned counsel appearing for the petitioner submits that this is the third bail application filed by the petitioner. Earlier bail petitions have been dismissed by this Court on 05.12.2023 and 01.02.2024. The petitioner is languishing in jail from 31.05.2023.

4.The learned Additional Public Prosecutor appearing for the respondent strongly opposes for grant of bail to the petitioner and submits that the investigation in this case has already been completed, final report has been filed and it was taken on file in Spl.SC.No.52 of 2023 before the Special Court for Exclusive trial of Cases under POCSO Act, Kanniyakumari at Nagercoil.



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5.Considering the nature of offence, the stage of the case and since there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed with a direction to the trial Court to conclude the trial in Spl.SC.No.52 of 2023 within a period of four weeks from the date of receipt of a copy of this order.

sd/-

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/04/2024

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

VRN
TO

- 1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
KANNIYAKUMARI AT NAGERCOIL.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MARTHANDAM,
KANYAKUMARI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



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

ORDER
IN
CRL OP(MD) No.5385 of 2024
Date :22/04/2024

SS/GS/SAR- /29/04/2024/4P/5C

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