



CRL OP(MD). No.7092 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7092 of 2024

S. Rajenthiran

... Petitioner/ Accused 1

Vs

The Inspector of Police,
AWPS Tiruchendur,
Thoothukudi District,
(Crime No. 2 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.D.S. HAROON RASHEED, Advocate

For Respondent : Mr.A.THIRUVADI KUMAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 2 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 06.02.2024, for the offence under Sections 3, 4, 5(n), 5(1), 5(j)(ii) r/w 6(1)



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of POCSO Act 2012 in Crime No.2 of 2024 on the file of the respondent police, seeks
bail.

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2. The case of the prosecution is that on 20.07.2023, the accused persons had committed aggravated penetrative sexual assault on the victim, who is aged about 16 years, thereby, she became pregnant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is arrayed as A1. He is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 06.02.2024. In this case, statement of the victim was recorded under Section 164 of Cr.P.C and the medical examination was also completed. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the victim in her statement under Section 164 of Cr.P.C., has clearly stated about the overt act committed by the petitioner and other accused. In this case, investigation has been completed and final report was also filed before the concerned Court. If the petitioner is released on bail, he may abscond and tamper the material witness. Hence, prays to dismiss the petition.

5.Since the offence committed by the petitioner is grave in nature and considering the averments of the victim in the statement recorded under Section 164



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of Cr.P.C., this Court is not inclined to enlarge the petitioner on bail. Hence, this
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petition stands dismissed.

sd/-
22/05/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO
1 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

2 THE INSPECTOR OF POLICE,
AWPS TIRUCHENDUR,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.7092 of 2024
Date :22/05/2024

SA/VR/SAR. /27.05.2024/3P/4C

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