



CRL OP(MD). No.7277 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.7277 of 2024

S. Manojkumar

... Petitioner/ Accused

Vs

The Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District
(Crime No. 66 of 2021).

... Respondent/ Complainant

For Petitioner : Mr.P. GANAPATHI SUBRAMANIAN, 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. 66 of 2021 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 10.01.2024, in pursuant to the execution of NBW issued by the learned Sessions Judge, Mahila Court, Pudukottai in Spl.S.C.No.22 of 2021, for the offence under Section 363 IPC r/w Section 5(l) r/w 6(1), 5(i) r/w 6(1) of POCSO Act 2012



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connected in Crime No.66 of 2021 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused had committed sexual assault on the defacto complainant's minor daughter, who is aged about 13 years. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner was already enlarged on bail and regularly appearing before the trial Court. Due to his absence on 06.10.2023, NBW was issued against him. On execution of NBW, he was in custody from 10.01.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that during the trial, due to absence of the petitioner, NBW was issued against him and the same was executed only on 10.01.2024. The case is posted on 06.06.2024 for examination of material witnesses. If the petitioner is released on bail, he may abscond and tamper the material witness, which would affect the trial. Hence, prays to dismiss the petition.



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5. Since the offence committed by the petitioner is grave in nature and considering the vehement objection raised by the learned Additional Public Prosecutor, this Court is not inclined to enlarge the petitioner on bail. Hence, this 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 INSPECTOR OF POLICE,
MANDAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT

2 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

ORDER
IN
CRL OP(MD) No.7277 of 2024
Date :22/05/2024

SA/JGB/SAR. /27.05.2024/3P/4C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.