



CRL OP(MD)No.8514 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date :11.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.8514 of 2024

1.P.Sankar

2.Vignesh

... Petitioners/Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(In Crime No.25 of 2023)

... Respondent/Respondent/Complainant

For Petitioners: Mr.L.GEORGE PAUL ANTO, Advocate

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.25 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioners in Crime No.25 of 2023 for the offence under Sections 5(g), 5(1) r/w 6 POCSO Act, 2012 and



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Sections 342 & 365 IPC and remanded them into judicial custody on 25.12.2023.

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Therefore, the petitioners have filed this petition seeking bail.

2.The case of the prosecution is that the defacto complainant is doing facial and mehanthi work. On the date of occurrence, ie., on 24.12.2023, the first petitioner called the defacto complainant over phone and invited her to his house for doing mehanthi work to his wife. Believing his words, she went to the first petitioner's house, but, his wife was not there. At that time, the petitioners were in drunken mood and committed the alleged offence. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they are languishing in jail from 25.12.2023.

4.The learned Additional Public Prosecutor appearing for the respondent submits that this is second bail petition and considering the gravity of the offence, this Court dismissed the earlier petition on 17.04.2024 and also directed the trial Court to proceed with the trial. He further submits that the trial has commenced and P.W.1 was also examined in chief, however, the petitioners have not cross-examined P.W.1.

5.Considering the nature of offence and also considering the fact that the trial has commenced and that the petitioners, without co-operating for the trial, have



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moved this second petition for bail, this Court is not inclined to grant bail to the
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petitioners. Accordingly, this criminal original petition is dismissed.

sd/-
11/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM,
MADURAI DISTRICT.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

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

ORDER
IN
CRL OP(MD) No.8514 of 2024
Date :11/06/2024

SA/VR/SAR. /18.06.2024/3P/4C

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