



Crl.OP(MD)No.11406 of 2024

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THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

DATED:25.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

Crl.OP(MD)No.11406 of 2024

Jeyakumar

... Petitioner / Sole Accused

/Vs./

State : Represented by its
Inspector of Police
Nazareth Police Station,
Thoothukudi District.
(Crime No.33 of 2024)

...Respondent / Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of the Criminal Procedure Code to grant bail to the petitioner in Crime No.33 of 2024 on the file of the respondent police.

For Petitioner : M/s.R.Ponkarthikeyan, Advocate

For Respondent : Mr.M.Aasha
Government Advocate



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ORDER

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The petitioner/accused, who was arrested and remanded to judicial custody on 28.02.2024, for the offence under Sections 363 of IPC and 3(a) read with 4 of POCSO Act 2012 in Crime No.33 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.02.2024 at about 08.00 p.m., the accused kidnapped the minor victim girl, who is aged about 14 years and committed penetrative sexual assault. 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. In this case, investigation has been completed. However, he is languishing in jail from 28.02.2024. Hence, he prays for grant of bail to the petitioner.

4. The Learned Government Advocate appearing for the respondent police submitted that the petitioner, who is aged about 36 years and a married man with two children, has kidnapped the victim and committed penetrative sexual assault. She further submitted that if he 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 this Court is



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not inclined to enlarge the petitioner on bail.

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6. Accordingly, this Criminal Original Petition stands dismissed.

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25/07/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA

To

1.The Judge,
Special Court for the Exclusive Trial of Cases under POCSO Act,
Thoothukudi.

2.The Inspector of Police,
Nazareth Police Station,
Thoothukudi District.

3.The Superintendent,
Central Prison,
Palayamkottai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
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ED/ GS /SAR- (02/08/2024) 4P / 5C

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