



CRL OP(MD). No.14678 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 03/09/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.14678 of 2024

1.P.Sankar,

2.Vignesh,

... Petitioners/ Accused No. 1 & 2

Vs

**The Inspector of Police,
All Women Police Station,
Thirupparankundram Police Station,
Madurai District.
Cr.No.25/2023.**

... Respondent/Complainant

For Petitioners : Mr.K.Jeyamohan, Advocate.

**For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)**

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.25 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested on 25.12.2023, for the offences punishable



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under Sections 5(g), 5(1) r/w, Section 6 of POCSO Act and Section 342 & 365 of IPC @ Sections 5(g), 5(1) r/w Section 6 of POCSO Act and Sections 342 & 365 of IPC and Section 3(1) (w)(i) of SC/ST(POA) Act, in Crime No.25 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are the friends. The defacto complainant is doing facial and mehanthi work. 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 for Christmas celebration. Believing his words, she went to the first petitioner's house, however, his wife was not available. At that time, the petitioners were in drunken mood and they have committed sexual assault on the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners seeks adjournment for producing deposition copies and to make his submissions.

4.Considering the nature of offence and the attitude of these petitioners in not cross-examining the witnesses during trial, this Court has dismissed the earlier application filed by these petitioners on 11.06.2024. This is the third application and the learned counsel for the petitioners requests some time to produce the copies of depositions to make his arguments. In the event, if the learned counsel feels that he is

having a good case and wants to make his arguments based on the depositions, he

<https://www.mhc.tn.gov.in/judis>



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can very well renew the application once again along with the copies of depositions.

This Court is not inclined to grant adjournment on this ground.

5.Considering the nature of offence and since there is no change in circumstances after the dismissal of the earlier application, this Criminal Original petition is dismissed.

sd/-
03/09/2024

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/ 09 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-10889[I] dated 04/09/2024)



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ORDER
IN
CRL OP(MD) No.14678 of 2024
Date :03/09/2024

PSP/ SG /SAR /13.09.2024/ 4P/ 5C

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