



CRL OP(MD). No.18532 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18532 of 2024

V.Sivasakthi

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Sanarpatty All Women Police Station,
Dindigul District.
(In Crime No.274 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Vignesh Kumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.274 of 2024 on the file of the respondent Police.

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



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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 20.07.2024 for the offences punishable under Sections 139 of BNS Act, 2023 and Section 5(I) r/w Section 6 of POCSO Act and Section 9 of Child Marriage Act, in Crime No.274 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the mother of the victim girl. The petitioner had performed a forced marriage with the victim girl and also committed the penetrative sexual assault upon her. Hence, the complaint.

3.Heard both sides.

4.Considering the fact that the petitioner's first wife committed suicide four years ago and thereafter, he married for a second time and has a child also and when that marriage is subsisting, he has enticed this minor child and married her and had physical intercourse, this is not a fit case for enlarging the petitioner on bail.



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5. Accordingly, this Criminal Original Petition is dismissed.

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28/10/2024

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/11/2024

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

dss

TO

1.THE INSPECTOR OF POLICE,
SANARPATTY ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT

2.THE OFFICER IN CHARGE,
DISTRICT JAIL, DINDIGUL.

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

ORDER
IN

CRL OP(MD) No.18532 of 2024

Date :28/10/2024

RK/VR (19/11/2024) 3P / 4C

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