



WEB COPY

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

Date : 06/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**
CRL OP(MD). No.18638 of 2024

Vanaraj

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Rajapalayam Police Station,
Virudhunagar District.
Crime No. 252/2024.

... Respondent/ Complainant

For Petitioner : Mr.Ramasamy S,

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 252 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 17.09.2024 for the offences under Sections 9(a)(iv) r/w 10 of POCSO Act, 2012 in Crime No.252 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, who is a married man and working as Police Constable had groped the victim girl while she was walking in the road along with her friends. The victim girl in this case was aged about 17 years.



Under these circumstances, the FIR came to be registered against the petitioner.

3. The learned Counsel for the petitioner submitted that a false case has been foisted against the petitioner and that the petitioner is not in any way involved in this case. The learned Counsel further submitted that the petitioner has suffered incarceration for the last 54 days and he will also abide by any condition imposed by this Court.

4. *Per contra*, the learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has a pattern and he committed a very similar offence on an earlier occasion, which resulted in registration of an FIR in Crime No.16 of 2022, on the file of the Thousand Lights Police Station, Triplicane, Chennai. The learned Additional Public Prosecutor vehemently opposed grant of bail to the petitioner.

5. This Court carefully considered the submissions made on either side and the materials available on record.

6. In the considered view of this Court, the materials placed before this Court shows that the petitioner has a mental disease of groping women/girls when they are walking alone in the road. This is not the first occasion where the petitioner is involved in such an offence. Even on an earlier occasion, he committed a very similar offence and at that time, he was under the influence of alcohol. After having come out on bail in that case, the petitioner has once again indulged in a similar



offence. The statement of the victim girl, which was recorded by the learned Judicial Magistrate, Rajapalayam under Section 183 of BNSS (the new procedure code) shows the manner, in which, the incident had taken place. In fact, it has also been captured in the CCTV.

7.The petitioner, who is working in a disciplined force and who is expected to safeguard the society, is indulging in such activities. The same cannot be taken lightly and in fact, this Court comes to a conclusion that the petitioner has actually misused his liberty and committed yet another crime. In view of the same, this Court is not inclined to enlarge the petitioner on bail.

8.In the result, this criminal original petition stands dismissed.

sd/-
06/11/2024

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/11/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

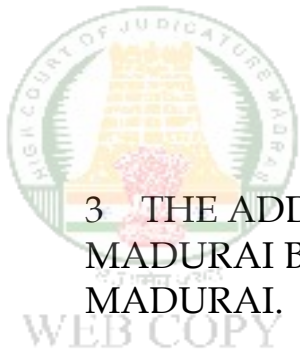
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TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2 THE INSPECTOR OF POLICE,
RAJAPALAYAM POLICE STATION,
VIRUDHUNAGAR
DISTRICT.

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



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

ORDER IN
CRL OP(MD) No.18638 of 2024
Date :06/11/2024

BV (25/11/2024) 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.