



CRL OP(MD). No.20412 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20412 of 2024

Muthu Muniyandi,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.
Crime No. 19 of 2024.

... Respondent/Complainant

For Petitioner :Mr. S.Anandha Rajagopal,
Advocate.

For Respondent : Mr.S.Ravi,
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. 19 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / sole accused, who was arrested and remanded to judicial custody on 31.08.2024 for the offence under Sections 5(1), 5(m) r/w Section 6 of POCSO Act 2012 and 506(i) of IPC in Crime No.19 of 2024, seeks bail.

2. The case of the prosecution is that the petitioner, who is aged about 75 years is said to have sexually assaulted the victim girl, aged about seven years and also threatened the victim girl that the same should not be informed to her parents.

3. The petitioner filed the earlier bail petition in Crl.O.P.(MD).No.17566 of 2024 before this Court and this Court was not inclined to enlarge the petitioner on bail and accordingly, the petition was dismissed on 17.10.2024.

4. This is the second bail application. This Court carefully went through Section 164 statement recorded from the victim girl. Considering the seriousness of the allegation and considering the fact that this petitioner had one previous case of similar nature, which is said to have been brought to an end by compromise with the other party, this Court is not inclined to enlarge the petitioner on bail.



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5. The learned Additional Public Prosecutor appearing on behalf of the respondent Police submitted that the investigation has been completed and the police report was also filed before the Special Court for Exclusive Trial of Cases under POCSO Act Cases, Sivagangai on 09.11.2024 and the same is yet to be taken on file.

6. Taking into consideration the facts and circumstances of the case and considering the age of the petitioner, there shall be a direction to the Special Court for Exclusive Trial of Cases under POCSO Act Cases, Sivagangai to act on the final report filed in Crime No.19 of 2024 and complete the entire proceedings within a period of three months from the date of receipt of a copy of this order.

7. In the result, the Criminal Original Petition is dismissed.

sd/-
25/11/2024

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/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1.The Special Court for Exclusive Trial of Cases under POCSO Act Cases, Sivagangai



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2.The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

3.The Superintendent, Central Prison, madurai.

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

ORDER
IN
CRL OP(MD) No.20412 of 2024
Date :25/11/2024

RK/GSV (04/12/2024) 4P / 5C

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