



CRL OP(MD) No.23320 of 2023

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

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23320 of 2023

RAMAKRISHNAN

... PETITIONER/ACCUSED 1

Vs

THE INSPECTOR OF POLICE
NACHIYARPURAM POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.80/2022.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.ALWIN BALAN.P.P. Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER:- FOR BAIL IN CRIME NO.80/2022 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
22.11.2022, for the offence punishable under Sections 5(m)(n) r/w Sections 6 and 17 of



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POCSO Act and Section 3(a) r/w 6 of the Protection of Child from Sexual Offences

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Act, 2012, in Crime No.80 of 2022, seeks bail.

2.The case of the prosecution is that the defacto complainant has married one Renuka/ A2 and out of the wedlock, they were blessed with two female children. Due to some family dispute, the wife of the defacto complainant had approached the petitioner for solving the dispute which leads his wife to have illegal relationship with the petitioner. Both the wife of the defacto complainant and the petitioner sexually abused the children. Hence the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It appears that this is the four application for bail and the earlier bail applications filed by the petitioner were dismissed by this Court on the ground that he has committed penetrative sexual assault on the two victim children, who are aged about 8 and 10 years respectively. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

5.Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner.



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6.In the result, this Criminal Original Petition is dismissed.

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sd/-
03/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB
TO
1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2 THE INSPECTOR OF POLICE
NACHIYARPURAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.P..P.ALWIN BALAN, Advocate (SR-259[I] dated 05/01/2024)

ORDER
IN
CRL OP(MD) No.23320 of 2023
Date :03/01/2024

SA/VR/SAR. /11.01.2024/3P/5C

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