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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1400 of 2025

Moorthi @ Ramamoorthi

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
Rep by the Inspector of Police.
All Women Police Station,
Nanguneri,
Tirunelveli District.
Crime No.47 of 2024.

... Respondent/Complainant

For Petitioner : M/s.V.Sorimuthu, Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.47 of 2024 on the file of the respondent police.



ORDER: The Court made the following order :-

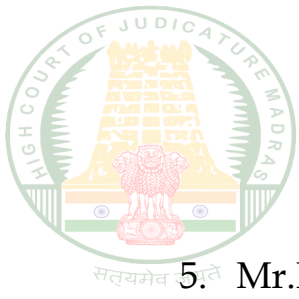
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This Criminal Original Petition has been filed by the petitioner on 22.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ accused was arrested and remanded to judicial custody on 14.11.2024 for the alleged offences punishable under Sections 376, 294(b) and 506(i) of IPC in Crime No.47 of 2024 on the file of the respondent police.

3. The case of the prosecution is that the petitioner sexually assaulted the victim, who is aged about 42 years and she became pregnant. Hence the case.

4. Mr.V.Sorimuthu, the learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 14.11.2024 and the petitioner is ready to abide with any condition to be imposed by this Court. He therefore prayed to grant bail to the petitioner.



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5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent police submitted that investigation is not completed and since the victim is five months pregnant, DNA test could not be taken. He further submitted that the victim is a person with intellectual disability. Therefore, he prayed to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7.Considering the submissions made by the learned Additional Public Prosecutor, this Court is of the view that if the petitioner is enlarged on bail, he will cause threat to the victim and hence, this Court is not inclined to grant bail to the petitioner.

8.Accordingly, this criminal original petition is dismissed.

Sd/-
03/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



LR
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TO

- 1 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 2 THE INSPECTOR OF POLICE.
ALL WOMEN POLICE STATION,
NANGUNERI, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.1400 of 2025

Date :03/02/2025

ES/SKN/SAR/18.02.2025/4P/4C

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