

**IN THE COURT OF III ADDITIONAL DISTRICT AND SESSIONS
JUDGE(PCR), MADURAI.**

PRESENT : Tr. A. Dhanasekaran. M.A.,M.B.A.,M.L.,

III Additional District Judge (PCR), Madurai.

Monday the 29th June 2020.

Crmp.No. 407 / 2020

CRIME NO. 337 / 2020

Vaitheeswaran, (21/2020)

S/o. Raja,

1/64, Mathur,

Alagar Kovil Via,

Madurai

..... Petitioner / Accused

State by Inspector of Police,

Appanthirupathy Police Station,

Madurai District.

..... Respondent / Complainant

Cr.No. 337 / 2020

ORDER

1. This second bail application received from Advocate Thiru. AK.Azagarsami through e-mail on 25.06.2020. Objections called for from the Special Public Prosecutor and Defacto Complainant. Reply from Special Public Prosecutor Thiru. A. Kalyanasundaram and police are received through Whatsapp on 29.06.2020.

2. The Petitioner / Accused side has stated that the allegations against the accused are not true, false case has been filed due to the compulsion of the parents of the defacto complainant and further the accused is in custody from 30.05.2020 and hence prayed to release the accused on bail.

3. The prosecution side given reply stating that the investigation is still pending, this is the second bail application and if the accused is released on bail, he may tamper the witnesses and hence this bail petition may be dismissed.

4. Both side considered. The case is registered against the accused under Section 376, 417, IPC r/w 3(1)(r), 3(1)(w)(l), of SC/ST (POA) Act 2015. The first bail application was already dismissed on 12.06.2020. Since this case is against the petitioner/accused only and investigation is still pending, if the accused is released on

bail there is every chance of tampering the witnesses and hence there is no change of circumstances taken place as stated in the petition. Though the defacto complainant by name Meena is aged about 19 years the offences against the accused are grave in nature such as offence U/S 376 IPC. For the aforesaid reasons and pending of investigation, this court is not inclined to release the accused on bail at this stage.

5. Therefore this bail application is dismissed.

/Sd/ A.Dhanasekaran,
III Addl. District & Sessions Judge (PCR),
Madurai.