



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

Monday, the Twentieth day of March Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.2565 of 2017

ESAKKIRAJA ... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.
(CRIME NO.28/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. M. VEILKANI RAJU Advocate

For Respondent : M/R.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

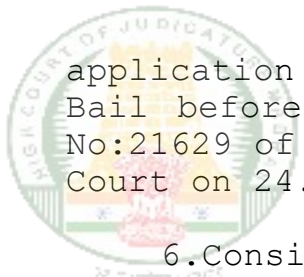
The petitioner, who is arrayed as sole accused, in Crime No: 28 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 7 and 8 of the Protection of Child from Sexual Offences Act, 2012, and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Criminal Side) for the respondent / State.

3.The learned counsel for the petitioner states that he filed earlier Anticipatory Bail application in 23522 of 2016 which was dismissed by this Court as per order dated 09.01.2017. He further states that the case was compromised between the mother of the child and the accused herein in Crl.O.P(MD) No:1266 of 2017 which is pending before this court.

4.The learned Government Advocate(Criminal Side) appearing for the respondent states that the petitioner is still absconding from the clutches of law and it is pertinent to note that this court has already directed the respondent to secure the accused without any further delay.

5.The learned counsel for the petitioner states that the petitioner also paid a Sum of Rs.5,000/- towards High Court Legal Services Authorities Committee as ordered by this Court. The earlier Anticipatory Bail application was dismissed by this Court stating that the petitioner was suppressed by the dismissal of the earlier



application in Crl.O.P(MD) No;20396 of 2016, seeking Anticipatory Bail before this Court and also another application in Crl.O.P(MD) No:21629 of 2016 seeking Anticipatory Bail was also dismissed by this Court on 24.11.2016.

6.Considering the conduct of the petitioner in consideration of the earlier Anticipatory Bail Applications, this court has also dismissed the petition in Crl.O.P(MD) No;23522 of 2016 and directed the respondent to secure the accused and also imposed a fine of Rs.5,000/- for his conduct also. Considering the facts and circumstances of the case and also the offence against the petitioner as per the Act in respect of the child, this court is not inclined to grant Anticipatory Bail at this stage. Hence, the Criminal Original petition is dismissed.

sd/-
20/03/2017

/ TRUE COPY /

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

TO

- 1 THE AUTHORISED OFFICER
HIGH COURT LEGAL SERVICES AUTHORITIES COMMITTEE
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAICKUNDAM,
THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

SVA/CM/MSA/03.04.2017/SAR2/4C/2P

ORDER
IN
CRL OP(MD) No.2565 of 2017
Date :20/03/2017