



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

Monday, the Twenty First day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9453 of 2017

SUNDAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVERUMBUR,
TRICHY DISTRICT.
CRIME NO.9 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 506(i) IPC and Section 5(1) and 6 of POCSO Act in Crime No.9 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to love affairs, the petitioner by giving false promise to marry the victim aged about 17 years had physical relationship with her.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that due to love affairs, the de facto complainant compelled the petitioner to marry her, however, when the same was refused, the present false complaint was lodged.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioner is the sole accused and the victim girl was subjected to medical examination and the report is received. As per the medical report, the victim girl was subjected to physical contact on several



occasion. He also submitted that 164 statement of the victim was also recorded, however, the same was not received from the concerned Judicial Magistrate and investigation is still pending.

5. Considering the facts and circumstances of the case and also taking note of the gravity of offence said to have been committed by the petitioner, I am not inclined to grant anticipatory bail to the petitioner as it is the case of child abuse. Accordingly, the Criminal Original petition is dismissed.

sd/-
21/08/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THIRUVERUMBUR, TRICHY DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

NBJ
CSL/RR-BS/SAR-I/30.08.2017 : 2P/3C

ORDER
IN
CRL OP(MD) No.9453 of 2017
Date :21/08/2017