



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

( Criminal Jurisdiction )

Date : 10/06/2019

WEB COPY

PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

CRL OP(MD). No.7133 of 2019

T.Arunkumar

... Petitioner/Sole Accused

Vs

State rep by its  
The Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhunagar District  
Cr.No.107 of 2019.

... Respondent/Complainant

For Petitioner : M/s.A.Jeyaram,  
Advocate.

For Respondent : V.Neelakandan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No.107 of 2019 on the file of the Respondent Police

ORDER : The Court Made the following order :-

This petition has been filed by the accused seeking anticipatory for alleged offences under Sections Girl Missing @ Girl Missing 4,5(1), 6 of POSCO Act,2012.

2. The learned counsel for the petitioner would submit that the petitioner is aged about 19 years and the victim girl is aged about 17 years. He further submitted that due to love affair the victim girl left the house voluntarily and thereafter the mother of the victim girl lodged a complain based on the said complaint the case was originally registered as Girl Missing and subsequently the girl returned to the house and thereafter the case was altered into under Sections 4,5(1), 6 of POCSO Act,2012. He further submitted that the petitioner is in no way connected with the aforesaid crime and therefore he prayed for anticipatory bail to the petitioner.



3. The learned Additional Public Prosecutor has submitted that the victim girl is aged about 16 years and he would also submit that the petitioner herein had kidnapped the victim girl and kept in his house for the 10 days and had sexual intercourse with her. He further submitted that the medical certificate shows that there is a sexual violation. He would also submit that investigation is pending. He would further submit that statement recorded under section 164 Cr.P.C of the victim shows that the petitioner herein kidnapped the victim girl. He further submitted that custodial interrogation of the petitioner is absolutely necessary and hence he opposed for grant of anticipatory bail to the petitioner.

4. Taking into consideration the allegations made against the petitioner and also the age of the victim and also taking into consideration the submissions made by the learned Additional Public Prosecutor that the custodial interrogation is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Hence the anticipatory bail petition is dismissed.

sd/-  
10/06/2019

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

TO

- 1.The Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhunagar District
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
CRL OP(MD) No.7133 of 2019  
Date : 10/06/2019

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TK/JC/SAR.4/19.06.2019/2P/3C