



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

Date : 09/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP (MD) . No.7754 of 2019

Sena @ Seiyathu Abthulkathar

... Petitioner/Sole Accused

Vs

State rep.by,
The Inspector of Police,
All Women Police Station,
Keelakarai,
Ramanathapuram District
In Crime No.07/2019.

... Complainant/Respondent

For Petitioner : M/s.D.Balamurugapandi,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no.7/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 10 r/w 9(m) of POCSO Act, in Crime No.7 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that as per the F.I.R, the occurrence was said to have taken place on 02.05.2019. But the complaint was lodged only on 06.05.2019. He further submitted that the petitioner is aged about 64 years and he belongs to one political party and the defacto complainant belongs to opposite political party and due to political dispute, she lodged a false complaint against the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.



3.Per contra, the learned Additional Public Prosecutor appearing for the respondent has submitted that the victim girl is aged about 7 years and she has given a statement under Section 164 Cr.P.C, in which, she has clearly stated that the petitioner herein has sexually abused her by giving a sum of Rs.10/-. He further submitted that investigation is at initial stage. Hence, custodial interrogation of the petitioner is necessary. Hence, he strongly opposed this petition.

4.Taking into consideration of the fact that the victim girl gave a statement under Section 164 Cr.P.C before the Judicial Magistrate stating that the petitioner herein has sexually abused her by giving a sum of Rs.10/- and also the submission made by the learned Additional Public Prosecutor that custodial interrogation of the petitioner is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

5.Accordingly, this petition is dismissed.

sd/-
09/07/2019

/ 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,
KEELAKARAI,
RAMANATHAPURAM DISTRICT
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7754 of 2019
Date :09/07/2019

vs
PK/JC/SAR-4/18.07.2019 : 2P/3C