



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/07/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.8851 of 2021

Vijayakumari

... Petitioner/Accused No.2

Vs

The State Rep. by,
The Inspector of Police,
All Women Police Station,
Kanyakumari District.
(Crime No. 18 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Sreenivasalu.N,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.18 of 2021 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 alleged offences punishable under Section 366(1) IPC in Crime No.18 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's daughter is aged about 17 years and studying 12th standard. A1 forced the defacto complainant's daughter to love him. Therefore, a complaint was given on 29.10.2019 and a case is pending before POCSO Court. On 09.06.2021, the daughter of the defacto complainant informed her that A2 asked her son to kidnap the defacto complainant's daughter. On 10.06.2021, both accused had kidnapped her daughter. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and after registration of case under POCSO against A1, she is not talking to her son and she is falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed.

5.It is a case where already a case under POCSO is registered against A1. When that case is pending it is alleged that the petitioner, who is the mother of A1, said to have kidnapped the victim girl along with her son. It is seen that investigation in this case is in preliminary stage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
20/07/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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

ORDER
IN
CRL OP(MD) No.8851 of 2021
Date :20/07/2021