



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD).No.10018 of 2021

Vengaiya ... Petitioner/2nd Accused

Vs

The State rep.by
The Inspector of Police,
Puliangudi Police Station,
Tenkasi.
(Crime No. 128 of 2021).

... Respondent/Complainant

For Petitioner : M/s.N.SHYLLAPPA KALYAN, 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. 128 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A-2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 5(1), 6, 17 of Protection of Children from Sexual Offences Act, 2012 r/w Sections 9, 10, 11 of Prohibition of Child Marriage Act, 2006 in Crime No.128 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 15.02.2021 at about 06.00 a.m., to 07.30 a.m., all the accused persons arranged marriage of the minor girl with one Singadurai and A-1 had also physical relationship with her. The petitioner herein is A-2 who is father of minor. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.



4.The learned Govt. Advocate (crl. side) appearing for the respondent police opposed this petition on the ground that investigation is not completed and there is no change in circumstances.

5.Taking note of the fact that it is a case of POCSO Act and this case was registered only on 13.03.2021 and the fact that this petitioner is father of minor girl and the marriage was arranged against her wish and there is no change in circumstances, since the dismissal of earlier anticipatory bail petition, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

28/07/2021

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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,
PULIANGUDI POLICE STATION,
TENKASI.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10018 of 2021

Date :28/07/2021

SA/JM/SAR.3/03.08.2021/2P/3C