



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15.09.2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.12290 of 2021

WEB COPY

1.K.Palanisamy
2.P.Rani
3.P.Viji @ vijimala

... Petitioner/Accused A2 to A4

Vs

State Rep. by
The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
(Crime No.320/2021).

... Respondent/Complainant

For petitioner : Mr.E.Sathish Rajkumar
Advocate.
For Respondent : Mr.T.Senthilkumar
Government Advocate (Crl.Side)
For Intervenor : Mr.C.Jeganatham
Advocate

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

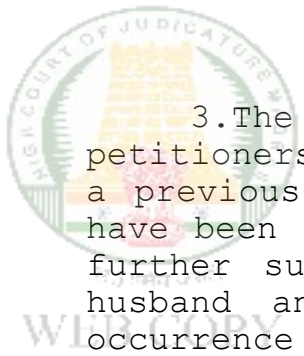
PRAYER :-

For Anticipatory Bail Crime No.320 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 354, 323 and 506(i) IPC @ under Sections 354, 323 and 506 (i) IPC and Section 4 of TNPHW Act and Section 11(i) r/w 12 of POCSO Act in Crime No.320 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 15.04.2021 at about 10.00 a.m. during the Village festival, the accused persons have tried to abduct the defacto complainant's daughter for forcible marriage with A1 and when the defacto complainant and her relatives tried to prevent the same, the accused persons assaulted them and criminally intimidated them. Hence, the complaint.



3.The learned counsel for the petitioners submitted that the petitioners have not participated in the village festival. There is a previous motive between A1 and the defacto complainant and they have been roped in as accused, she roped the petitioners. He would further submit that A4 is residing at Kodaikanal along with her husband and children. He would further submit that for the occurrence said to have taken place on 15.04.2021, the case has been registered on 11.05.2021 and there is no reason stated for the delay lodging the complaint.

4.The learned Government Advocate submits that the victim is aged about 17 years and she was also produced before the learned Judicial Magistrate, Nilakottai. Statement under Section 164 Cr.P.C. of the victim has also been recorded. It reveals that the petitioners have forcibly attempted to marry the victim in a village festival and have also outraged her modesty and damaged her clothes.

5.Considering the nature of allegations levelled against the petitioners and the seriousness of the offence, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is dismissed.

sd/-
15/09/2021

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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,
Pattiveeranpatti Police Station,
Dindigul District.



2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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ORDER
IN
CRL OP(MD) No.12290 of 2021
Date : 15.09.2021

RS/SKN/SAR1 (23.09.2021) 3P 3C