



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10989 of 2022

KRISHNAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
HARUR POLICE STATION,
DHARMAPURI DISTRICT.
CRIEM NO.55/2022.

[RESPONDENT]

For Petitioner : M/S.M.MARIAPPAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

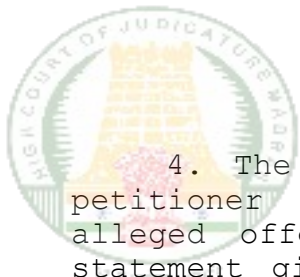
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 363, 366 of IPC and Sections 3 and 4 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, 2006 in Crime No.55 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on the pretext of marriage, the petitioner kidnapped the minor victim girl aged about 17 years. Thereafter, the petitioner had a physical relationship on compulsion. The victim girl is aged about 17 years and was born on 10.05.2014.

3. A perusal of the statement recorded under Section 164 Cr.P.C revealed that the petitioner suppressed the fact that he got already marriage and on the pretext of false marriage with the victim girl, he had physical relationship. Therefore, the petitioner have committed very serious and heinous offence as against the minor victim girl.



4. The learned counsel for the petitioner submitted that the petitioner is an innocent person and no way connected with the alleged offence. He would further submit that on the confession statement given by the co-accused, the petitioner has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor submits that the investigation is not yet completed and if the petitioner is granted anticipatory bail, there is a possibility that he will tamper the witnesses and hamper the investigation and hence he vehemently opposed to grant anticipatory bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case, the custodial interrogation of the petitioner is essential. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
18/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
HARUR POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.MARIAPPAN Advocate on payment of necessary charges

CRL OP.10989/2022

Date :18/05/2022

TA-23/05/2022