



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

Dated: 03/02/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.1305 of 2022

M.Ramakrishnan

: Petitioner/Sole Accused

Vs.

State rep. By
The Inspector of Police,
Ambilikai Police Station,
Dindigul District.
(Crime No.498 of 2021)

: Respondent/Complainant

For Petitioner : Mr.T.Thirumurugan, Advocate

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.side)

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

PRAYER :- For Anticipatory Bail in Crime No.498 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offence punishable under section 363 IPC and Section 5(1) r/w section 6 of POCSO Act, in Crime No.498 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to love love affairs, the petitioner kidnapped the victim girl.

3.Heard both sides.

4.The entire CD file has been called for and perused. We can straightway go to the statement of the victim girl, which was recorded under section 164(3) Cr.P.C wherein she has stated that she was in love with the petitioner for about a year and on her own willingness, she went along with this petitioner with an intend to marry. Later on the basis of the complaint given by the mother of the victim girl, the case has been registered and both of them were secured. So except this fact, the victim girl has not implicating the petitioner anything with regard to the sexual assault.



5.Earlier the victim girl on the date of alleged occurrence is found to be the age of 16 +. The date of birth is 20/03/2005. The date of the occurrence is 05/01/2021. On the date of the alleged occurrence, she was 16+. No doubt the victim girl is a girl of immature age. But however, during the course of investigation, since she has not stated anything implicating the petitioner with regard to sexual assault, I am of the considered view that the petitioner can be granted anticipatory bail, considering the fact that major portion of the investigation is completed.

6.In view of the above facts and circumstances of this case, this court is inclined to **anticipatory bail is granted** to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Mahila Court, Dindigul and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge concerned and the petitioner shall appear before the respondent police once 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
03/02/2022

/ TRUE COPY /

/ /2022
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 JUDGE,
MAHILA COURT, DINDIGUL.
2. THE INSPECTOR OF POLICE,
AMBILIKAI POLICE STATION, DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-4422[F] dated 07/02/2022)
ORDER IN
CRL OP(MD) No.1305 of 2022
Date :03/02/2022

ER