



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 04/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)Nos.1594 of 2022

WEB COPY

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... Petitioner/Sole Accused

Vs.

The State through
The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
(Crime No.21 of 2021)

... Respondent/Complainant

For Petitioner : Mr.K.SUYAMBULINGA BHARATHI, Advocate

For Respondent : Mr.S.MANIKANDAN, Government Advocate (Crl.side)

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

PRAYER :- For Anticipatory Bail in Crime No.21 of 2021 on the file of the Respondent Police.

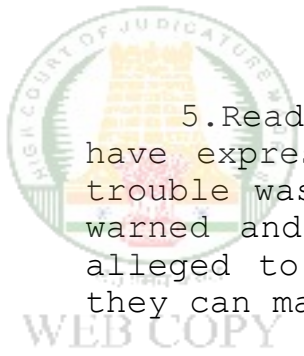
ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the alleged offence under sections 7 and 8 of the Protection of Child from Sexual Offences Act, 2012 and 506(i) IPC, in Crime No.21 of 2021, seeks anticipatory bail.

2.The petitioner is facing the charges for the offences under sections 7 and 8 of the Protection of Child from Sexual Offences Act, 2012 and 506(i) IPC.

3.Heard both sides.

4.The learned counsel appearing for the petitioner would submit that the petitioner was in love with the victim girl and when that was brought to the notice of the parents of the victim, they made objection. So only at the instance of the parents of the victim girl, this false case has been given.



5. Reading of the complaint shows that the petitioner alleged to have expressed his willingness to marry the victim girl. When the trouble was made by the petitioner on the previous occasion, he was warned and later, on 30/11/2021 at about 4.00 pm, the petitioner alleged to have grabbed the hands of the victim girl stating that they can marry.

6. During the course of recording of 164 Cr.P.C statement also, it has been stated that by stating that they can marry, the petitioner grabbed the hands of the victim girl. Whether any love affairs between the petitioner and the victim girl existed and whether proposal was made by the petitioner to the victim girl, is a matter for investigation. Whatever it may be, the petitioner must file an undertaking affidavit stating that he will not make any trouble to the victim girl in future.

7. Considering the above facts and circumstances of this case, this court is inclined to grant anticipatory bail 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 Special Judge for POCSO Act cases, Thoothukudi 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 in 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/-
04/02/2022

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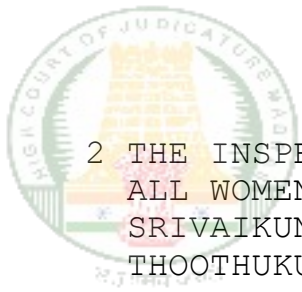
/ /2022

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 SPECIAL JUDGE FOR POCSO CASES,
THOOTHUKUDI.



2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM,
THOOTHUKUDI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.1594 of 2022

Date :04/02/2022

SA/JM/SAR.4/10.02.2022/3P/4C