



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

Date : 03/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2128 of 2022

Seeni @ Sethu @ Sethuraman

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Srivaigundam,
Thoothukudi District.
Cr.No. 21 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Jegadeesha Pandian V.M.,
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 Cr.No.21 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehend arrest at the hands
of the respondent police for the offences punishable under Sections
506(i) IPC of POCSO Act and Section 7 & 8 of POCSO Act 2012, in
Crime No.21 of 2021, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is
that the petitioner gave a love torture to his daughter. Hence, the
complaint.

3.The learned counsel appearing for the petitioner would submit
that the petitioner and the defacto complainant are close relatives
and that there was a love affair between the petitioner and the
defacto complainant's daughter. Since, it was objected by the
defacto complainant. Thereafter, the defacto complainant lodged a
false complaint against the petitioner. Hence, he seeks for grant of
bail to the petitioner.



4.The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that as on date, there is no material available to prove the relationship between the petitioner and the defacto complainant's daughter. He would further submitted that the petitioner and the defacto complainant are close relatives.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate Court, Srivaigundam, Thoothukudi District, 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 Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8.The petitioner shall file an undertaking affidavit before the concerned Police station that he will not disturb the victim girl or cause any kind of harassment to her in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court will stand cancelled automatically without any reference to the Court.

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 JUDICIAL MAGISTRATE,
SRIVAIGUNDAM, THOOTHUKUDI DISTRICT.

<https://hcservices.cerivra.gov.in/SecAndes/>



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SRIVAIGUNDAM,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2128 of 2022
Date :03/02/2022

USK/SBN/SAR-III/10.02.2022/3P/5C