



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.5304 of 2022

Muniyasamy

... Petitioner/ Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Kovilpatti, Thoothukudi District.
Crime No.4/2022.

... Respondent/Complainant

For Petitioner : Mr.M.Prabu,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

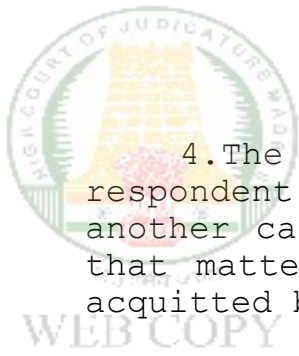
PRAYER :-For Anticipatory Bail in Crime No.4 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 294(b) and 506 (i) IPC and Section 9 of Tamil Nadu Prohibition of Child Marriage Act, 2006 and Section 5(1) r/w 6 of POCSO Act, in Crime No.4 of 2022 on the file of the respondent police.

2.The case of the prosecution is that there was love affair between the victim girl and the petitioner herein. On the false promise of marrying her, she was sexually assaulted by the petitioner and later, he went away. On continues search of the petitioner's native place, on enquiry and on questioning, the petitioner refused to continue the love affair. Based upon the aforesaid complaint, the case has been registered.

3.The learned counsel for the petitioner submits that even though there was love affair between the petitioner and the defacto complainant, because of the objection that was made by the mother of the petitioner, trouble has arisen and even now, he is ready to take
the girl.



4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was involved in another case in Crime N.4 of 2021, which was similar in nature and that matter was compromised and on that basis, the petitioner was acquitted by the trial Court.

5.Considering the antecedents of the petitioner and considering the fact that this is the second offence from the very same sequence, he is not entitled for the discretionary relief of anticipatory bail. Hence, this Criminal Original Petition is dismissed. The petitioner is directed to surrender before the respondent police forthwith.

sd/-

28/06/2022

/ TRUE COPY /

/07/2022

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 INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5304 of 2022

Date :28/06/2022

MM

MK/VR/SAR.I/12.07.2022/2P/3C