



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.6910 of 2022

WEB COPY

M.Arikrishnan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Manamadurai.
Sivagangai District.
Crime.No.8/2022.

... Respondent/Complainant

For Petitioner : Mr.S.Krishnan, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

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

PRAYER :-

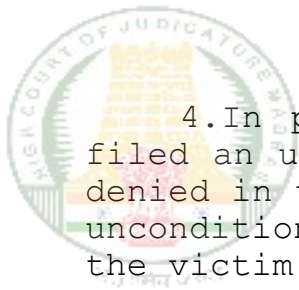
For Anticipatory Bail in Crime No.8 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Section 11(1) and 12 of Protection of Children from Sexual Offences (POCSO) Act, in Crime No.8 of 2022 on the file of the respondent police.

2.The case of the prosecution is that this petitioner alleged to have followed the victim girl and has caused frequent trouble to her. At one point of time, the accused person alleged to have snatched her college bag and forcibly put his mobile number. When that was enquired, the defacto complainant was criminally intimidated by this petitioner by joining hands with his friends.

3.164 statement of the victim girl was also recorded, wherein she has stated that the petitioner has frequently misbehaved with her wherever she goes. When that was objected by her father, he was criminally intimidated. Noting that it is a serious misconduct on the part of the petitioner, the learned counsel for the petitioner submitted that the petitioner is a college going student and his future should not be spoiled because of this issue. Thereafter, the petitioner was directed to file an undertaking affidavit to the effect that he will not make any trouble to the victim girl.



4. In pursuance of the aforesaid direction, the petitioner as filed an undertaking affidavit. Even though the occurrence has been denied in the affidavit, it is seen that the petitioner has given an unconditional undertaking that he will not in any way try to meet the victim girl or travel in the said route.

5. The affidavit of undertaking that has been given by this petitioner is placed of record and on the basis of the same, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Special Court (POCSO), Sivagangai on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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 shall stand dismissed. Further, the respondent police is directed to must watch the day-to-day activities of the petitioner. If any violation is noticed, the petitioner must be immediately taken to the judicial custody and the anticipatory bail that has been granted by this Court in this matter shall stand cancelled on the violation of the undertaking without further reference to this Court.

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 JUDGE, SPECIAL COURT (POCSO), SIVAGANGAI.



CRL OP(MD).



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2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MANAMAI
SIVAGANGAI DISTRICT.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.6910 of 2022

Date :28/06/2022

RS/VR/SAR.2 (12.07.2022) 3P-4C