



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11814 of 2022

Bharathraj

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai District.
(Crime No. 17 of 2022).

... Respondent/Complainant

For Petitioner : M/s.CHANDRAPANDI.V, 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. 17 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(2), 5(1) and 6 of POCSO Act in Crime No.17 of 2022 on the file of the respondent police, seeks anticipatory bail.

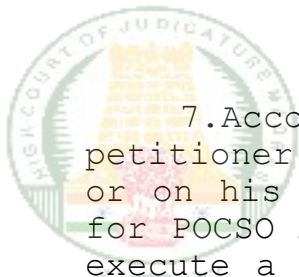
2.The case of the prosecution is that the defacto complainant has stated that petitioner on promising to marry the victim girl had sexual intercourse with her and cheated her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl. Side).

5.Reading of the CD file shows that the victim girl very cleverly with an intention to marry the petitioner, repeatedly making some sort of contradictory statements. The Investigating Officer is also present before this Court and stated that the victim is aged 14 years and only with an intention to marry she is giving such a contradictory statements.

6.Considering the immaturity of victim girl and also considering the statement of Investigating Officer, this Court is inclined to grant anticipatory bail to the petitioner.



7. 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 for Exclusive trial for POCSO Act Cases, Madurai 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.

8. 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 stands dismissed.

9. The petitioner must file an undertaking affidavit stating that he will not indulge this kind of offence in future before the concerned Magistrate Court and send another copy to the concerned Police Station.

10. If any violation is noticed after filing undertaking affidavit, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-
02/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL FOR POCSO ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.11814 of 2022
Date : 02/09/2022

TRP
SA/VRS/SAR.2/14.09.2022/2P/4C

<https://www.mhc.tn.gov.in/judis>