



WEB COPY



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

Date : 04/08/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

**CRL OP(MD) . No.14060 of 2022**

M.Sumesh

... Petitioner/Accused

Vs

State rep.by  
The Inspector of Police,  
Mukkodal Police Station,  
Tirunelveli.  
(Crime No.54 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Sorimuthu. V, Advocate.

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

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

PRAYER :-

For Bail in Crime No.54 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 21.05.022 for the alleged offence under Section 6, 5(1) of Protection of Children from Sexual Offences Act, in Crime No.54 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the father of the victim girl and she was studying B.A., in Rani Anna College. The accused persons had some sort of contact with the victim girl, over the above said issue, the victim was stopped to attend the college. Later, she was admitted in the hostel on 20.05.2022 and when she was returning to the house at 7.30 pm, the accused persons alleged to have kidnapped the victim girl and tried to commit penetrative sexual assault. Based on the complaint, a case has been registered against the petitioner.



3. The learned counsel for the petitioner submitted that the petitioner loved the victim girl and she was aged about 17+1 years and also proposed to marry her. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor submitted that the petitioner is a married person and having two children. He would further submit that the petitioner kidnapped the victim and committed into penetrative sexual intercourse with her and also tried to marry her. Since he is a married one, the question of love affair may not arise.

5. Considering the submission made by the learned Additional Public Prosecutor appearing for the respondent and that the petitioner has committed serious nature of offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

Sd/-  
04/08/2022

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/08/2022  
Sub-Assistant Registrar (C.S.IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP

TO

1. THE INSPECTOR OF POLICE,  
MUKKODAL POLICE STATION,  
TIRUNELVELI.
2. THE SUPERINTENDENT,  
CENTRAL JAIL, PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.14060 of 2022  
Date : 04/08/2022

SP/SVR/SAR IV/17/08/2022/2P/4C