



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.16387 of 2022

Malathi

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
Crime No.22 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Indrachithu T, Advocate

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.22 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 11(4) r/w 12, 5(1), 6 of POCSO Act, 2012 and Section 506(i) IPC, in Crime No.22 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused was in love with the victim and had physical relationship with her. On 06.06.2022, the first accused insisted the defacto complainant to give her daughter in marriage and threatened her. Hence, the case.

3.On the side of the petitioner, it is stated that petitioner is innocent person and has not committed any offence as alleged by the prosecution. Based on the confession of A1, this petitioner was

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impleaded in this case. Hence, prays to release her on anticipatory bail.

4. On the side of the prosecution, it is stated that the petitioner is none other than the mother of A1. The A1 is still in custody under Goondas Act. At the time of occurrence, the age of the victim was only 15 years. As per the 164 Cr.P.C. statement of the victim, the first accused had sexually assaulted the victim and against her wish, had physical relationship, only with the help of this petitioner. Hence, prays to dismiss the petition.

5. Considering the gravity of the offence, the manner in which, the occurrence had taken place, considering the vehement objection raised by the respondent Police, more particularly, 164 Cr.P.C. statement of the victim, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
12/09/2022

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/09/2022

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

pnm

TO

1. The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.16387 of 2022
Date : 12/09/2022

RK/SVR/SAR-1 (16/09/2022) 2P/3C