



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/10/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.18502 of 2022

WEB COPY

Arms Nallathambi

... Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District.
Crime No.33 of 2022.

... Respondent/Complainant

For Petitioner : Mr.T.A.Ebenezer, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi.
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.33 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 7, 8 and 9(f) of POCSO Act, 2012, in Crime No.33 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.08.2022, at about 10.00AM, when the accused was teaching lessons to the students, while dividing the students into groups, taking advantage of the situation, the accused put his hand on victim's breast and thigh. Hence, the complaint.

3. On the side of the petitioner, it is stated that the petitioner is innocent and had not committed any such offence, as alleged by the prosecution. The petitioner insisted the victim to finish her home work, due to which, a false case has been foisted against him. Due to some personal enmity between the petitioner and the Headmaster of the School, this false case was foisted against the petitioner. Hence, prays to release him on anticipatory bail.



4. On the side of prosecution, it is stated that the petitioner wantonly misbehaved with the victim and 164 Cr.P.C. statement was recorded. The age of the victim is 12 years. The nature of the offence is serious. Hence, prays to dismiss the petition.

5. Considering the serious allegations against the petitioner and the gravity of the case and considering the stage of the investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
31/10/2022

/ TRUE COPY /

/11/2022

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

TO

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

ORDER
IN
CRL OP(MD) No.18502 of 2022
Date :31/10/2022

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RS/sbn/SAR.2 (04.11.2022) 2P-3C