



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18746 of 2022

Manikandan

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
All Women Police Station, Musiri,
Trichy District.
(Crime No.24/2022).

... Respondent/Complainant

For Petitioner : M/s.Arunraj K, Advocate

For Respondent : Mr.M.Muthumanikkam,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.24/2022 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 Section 9 of Child Marriage Act and Sections 5(1), 5(j)(ii), 6(1) of POCSO Act, 2012, in Crime No.24 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused married the the victim, who was aged about 15 years and thereby, she got pregnant. Due to misunderstandings, they got separated and the victim delivered a child. 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. A false case has been foisted against him. The co-accused/A1 was already enlarged on bail. Hence, prays to release him on anticipatory bail.

4. On the side of prosecution, it is stated that the age of the victim was only 15 years at the time of occurrence. As per the statement under Section 164 Cr.P.C, though the first accused married



the victim, this petitioner/A2, who is the husband of 's sister had physical relationship with the victim, even before and after her marriage and due to that only she got pregnant. The custodial interrogation is necessary in this case. The investigation is not yet completed. Hence, prays to dismiss the petition.

5. Considering the facts and circumstances of the case, nature serious allegations against the petitioner and the age of the victim and also considering the strong objection raised by the prosecution, based on the contention in the 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/-

20/10/2022

/ 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, MUSIRI,
TRICHY DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.18746 of 2022

Date :20/10/2022

PNM

SA/VR/SAR.2/01.11.2022/2P/3C