



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.18834 of 2022

Pirabakaran

... Petitioner/Single Accused

-Vs-

State Rep.by
The Inspector of Police,
C-3, S.S.Colony Police Station,
Madurai City
(Crime No.837 of 2022).

... Respondent/Complainant

For Petitioner : Mr.P.Chandrasekar, 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.837 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 Section Girl Missing @ 366(A) IPC and Section 5(1), 6 of POCSO Act, 2012, in Crime No.837 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that originally the case was registered under Girl Missing. On enquiry, it is seen that due to love affair, the victim, who was aged about 14 years, the petitioner kidnapped the victim, with a malafide intention and had sexual relationship with her.

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. There was love affair between the



petitioner and the victim. A false case has been foisted on him. 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 14 years at the time of occurrence and the petitioner had committed sexual assault on her. The investigation is not yet completed. Statement under Section 164 Cr.P.C is not yet recorded from the victim. 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 nascent stage of investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
20/10/2022

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/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
S.S.COLONY POLICE STATION,
MADURAI CITY
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18834 of 2022
Date :20/10/2022

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PKP/GB/SAR-2/31.10.2022/2P/3C