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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/11/2022
PRESENT

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

CRL OP(MD) . No.18802 of 2022

1. Thavamani,
2. Deivendhiran,
3. Suntharavalli,
4. Vairamani,
5. Pothumani,

... Petitioners/Accused Nos.2 to 6

Vs

The State rep.by
The Inspector of Police,
Bodi All Women Police Station,
Theni District
(Crime No.27 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Dhilipan Pandian R.L.,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

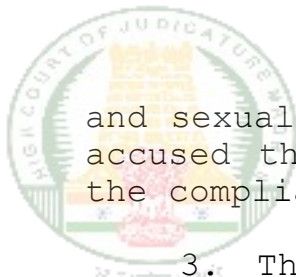
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.27 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 9(m), 9(n), 10, 19 and 21(1) of POCSO Act, 2012 and Section 506(i) of IPC in Crime No. 27 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the matrimonial dispute, both the defacto complainant and his husband are living separately. When the victim aged about six years went to her father's house, A1, one Akesh, who is the son of the defacto complainant's sister in law, has misbehaved with the victim girl



and sexually touched her. When the same was informed to her accused they have threatened her with dire consequences. Hence, the compliant.

3. The learned counsel appearing for the petitioners would submit that the petitioners are in-laws of the defacto complainant and they are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that defacto complainant and her husband are husband and wife and they are living separately for the past three years. He would further submit that when the victim was sent to his father's house, A1, who is the son of the defacto complainant's sister in law, came there and touched the victim girl sexually and the other petitioners have threatened the victim with dire consequences. He would further submit that the investigation of the case is pending and he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and also considering the serious nature of allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

02/11/2022

/ TRUE COPY /

/12/2022

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

TO

1 THE INSPECTOR OF POLICE,
BODI ALL WOMEN POLICE STATION,
THENI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.18802 of 2022
Date :02/11/2022

TRP

SA/BUC/SAR.2/01.12.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>