



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/10/2022

PRESENT

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

CRL OP(MD) . No.19153 of 2022

1. R.Kannan
2. R.Karuppayee

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Aruppukottai,
Virudhunagar District.
(Crime No.23/2022.

... Respondent/Complainant

For Petitioner : M/s.Vasanthan M, 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.23/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 5(1) r/w 6, 15, 16 r/w 17 of POCSO Act, 2012, Sections 9 and 10 of the Child Marriage Act, 2006, Section 67 of Information and Technology Act, 2000, in Crime No.23 of 2022, on the file of the respondent police, seek anticipatory bail.



she took bath and on showing it, he induced her to pose nude. The same was also recorded by him, without knowing to her. Thereafter, the defacto complainant, who was aged about 17 years, was married to A2, with the aid of other accused persons and they lived as husband and wife. Again, the first accused tortured her for sexual relationship with him. Since the same was refused by her, he sent the nude video to her husband and relatives. Therefore, the defacto complainant was thrown away from her matrimonial home. Hence, the complaint.

3. On the side of the petitioners, it is stated that the petitioners are innocent and had not committed any such offence, as alleged by the prosecution. A false case has been foisted against them. The petitioners are none other than the parents of the defacto complainant/victim. Hence, prays to release them on anticipatory bail.

4. On the side of prosecution, it is stated that the age of the victim was only 17 years at the time of occurrence. Knowing fully well that the victim was a minor, she was married to A2 and A2 committed sexual assault on her. A1 also took nude video and tortured her for sexual relationship. As per the statement recorded under 161(3) Cr.P.C, the victim requested to take action against all the accused persons, including these petitioners, who are her parents. The investigation has not yet been completed. The A1, A2 are still in custody. Hence, prays to dismiss the petition.

5. Considering the facts and circumstances of the case, gravity of offence committed by the accused and the age of the victim and also considering the nascent stage of the investigation, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
28/10/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM



1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.VASANTHAN M Advocate SR.No.12065

ORDER
IN
CRL OP (MD) No.19153 of 2022
Date :28/10/2022

SP/GB/SAR I/04/11/2022/3P/4C