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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/11/2022

PRESENT

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

CRL OP(MD) . No.19448 of 2022

Ezhilan

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Tiruverumbur District.
(Crime No.30 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Mohammad Kasim S, 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.30 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 9 (m) and 10 of POCSO Act, 2012 in Crime No.30 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant's daughter went to the petitioner's shop, the petitioner misbehaved with her, who is a minor. Hence, the complaint.

3.The learned counsel for the petitioner would submit that there was a dispute between the petitioners and the victim's family, the petitioner has been falsely implicated in this case and he is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.



4.The learned Government Advocate (Crl. side) would submit that when the defacto complainant's daughter went to the petitioner's shop, the petitioner misbehaved with her, who is a minor and the investigation is in preliminary stage and the statement under Section 164 Cr.P.C. of the victim girl is not yet recorded. Hence, he prayed for dismissal of this petition.

5.Considering the gravity and nature of the offence and also the facts that the statement under Section 164 Cr.P.C. of the victim girl is not yet recorded and the investigation is in preliminary stage as stated by the learned Government Advocate (Crl. side), this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
04/11/2022

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

SJI

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVERUMBUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.19448 of 2022
Date :04/11/2022

SP/SSS/SAR III/17/11/2022/2P/3C