



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

Date : 21/11/2022

PRESENT

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

CRL OP(MD). No.20582 of 2022

WEB COPY

Prabhu @ Periyakaruppan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Othakadai Police Station,(for AWPS),
Othakadai,
Madurai District.
Crime No.277 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Prabhu K, 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.277 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 offences punishable under Sections 11(i) and 12 of the POCSO Act, in Crime No.277 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on Adaikalam appeared before the Annai Sathya Children Home and gave the complaint that the petitioner has followed her daughter by name Anitha, aged about 14 years, while she was going to school. Further the petitioner told the defacto complainant's daughter, he like to marry her. On 14.07.2022, the petitioner has thrown the birthday gift at the door steps of the victim's house. Hence, the complainant.

3.The learned counsel for the petitioner would submit that due to previous motive, this case has been foisted against the petitioner. The petitioner is an innocent and he did not commit any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the victim is aged about 14 years and in the statement recorded under Section 164 Cr.P.C., the



victim girl has implicated the petitioner. He would further state that offences committed by the petitioner are very serious in nature and the investigation is at the initial stage. Hence, he strongly opposed for grant of anticipatory bail.

5. Considering the seriousness and gravity of the offence committed by the petitioner and considering the age of the victim and the statement of the victim girl recorded under Section 164 Cr.P.C and also the fact that investigation is at the initial stage, 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/-

21/11/2022

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/11/2022

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

TO

1 THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION,
(ALL WOMEN POLICE STATION), OTHAKADAI, MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.20582 of 2022

Date :21/11/2022

CP

RS/SSS/SAR.1(30.11.2022) 2P-3C