



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/11/2022

PRESENT

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

CRL OP(MD) . No.21175 of 2022

M.Maria Sajith

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.24 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Jawahar J, 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.24 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 3(b), 4, 9(n), 9(m) and 10 of Protection of Child From Sexual Offences Act, 2012, in Crime No.24 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 17.05.2022, the petitioner sexually assaulted the de-facto complainant's daughter. Hence, the complaint.



3.The learned counsel appearing for the petitioner would submit that the petitioner is the father of the victim baby. Due to wreck personal vengeance, this false case has been foisted against the petitioner. Further, he is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit that the defacto complainant is the mother of the victim baby, who is aged about 1 ½ years. The petitioner sexually assaulted the victim baby. He would further submit that the offence committed by the petitioner is very heinous in nature and the statement of the defacto complainant was also recorded under Section 164 of Cr.P.C and investigation in this case has been completed and charge sheet has also been filed before the concerned Court.

5.Considering the seriousness and gravity of the offence and considering the age of the victim and also taking note of the statement of the victim's mother recorded under Section 164 of Cr.P.C and the objection raised by the prosecution, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
30/11/2022

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/12/2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cp

To

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

ORDER
IN
CRL OP(MD) No.21175 of 2022
Date :30/11/2022