



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

Date : 24/11/2022

PRESENT

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

CRL OP(MD). No.20809 of 2022

Eswaran ... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi District.
(Crime No.12/2021).

... Respondent/Complainant

For Petitioner : M/s.Prabhu M,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

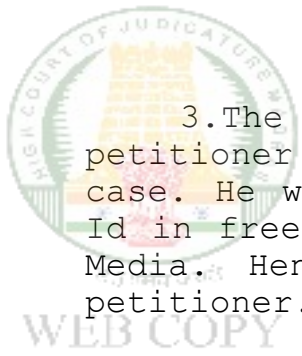
PRAYER :-

For Anticipatory Bail in Cr No.12/2021 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 384 & 506(i) of IPC and Section 67 of Information Technology Act and Section 11 (iii), (iv), (v) r/w 12, 13 & 14 of of POCSO Act, 2012, in Cr.No.12 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the victim girl is the minor daughter of the defacto complainant and she is aged about 17 years. The petitioner and the victim girl came to be friends through Free Fire Mobile Game and subsequently, chatting with What's App and Facebook. In the month of June 2021, the petitioner illegally took the victim girl's photos from the Facebook and shared the same in the social Media along with unparliamentary words. Hence, the complainant.



3.The learned counsel for the petitioner would submit the petitioner is innocent and he has been falsely implicated in this case. He would further submit that somebody else, created the fake Id in free fire game and shared the victim girl's photos in Social Media. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner illegally took the victim girl's photos from the Facebook and shared the same in the social Media along with unparliamentary words by using the phone number i.e, 93450277021 of one Boopathy and demanded a sum of Rs.2 lakh to stop the message. Previously, one complaint was registered against the petitioner in CSR.No.422 of 2022. Once again, he committed the same offence and the investigation is in Preliminary Stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
24/11/2022

/ TRUE COPY /

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

DSS

TO

1.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KOVILPATTI,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.20809 of 2022
Date :24/11/2022

RK/BUC/SAR-1 (02/12/2022) 2P/3C

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