



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

Date : 15/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4885 of 2023

Jeyaprakash

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station
Kodaikanal
Dindigul District.
Crime No. 3/2023.

... Respondent/Complainant

For Petitioner : M/s.K.Appadurai,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 3 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 5(1)(j)(ii) and 6 of POCSO Act in Crime No.3 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner on the false promise of marrying the victim girl had committed penetrative sexual assault on her due to which she became pregnant and thereafter refused to marry her. Hence, the complaint.

3. Heard both side and perused the materials available on record including the First Information Report and the statement of the complainant recorded under section 164 of Cr.P.C.



4. From perusal of statement of the victim recorded under section 164 of Cr.P.C, it is seen that the victim girl got pregnant and later it was aborted in order to continue her studies. The petitioner on the assurance of marriage had committed penetrative sexual assault on the minor victim girl who is aged about 19 years. Therefore the petitioner has committed very serious offence against the minor victim girl hence this court is not inclined to grant anticipatory bail to the petitioner.

5. Hence the petition stands dismissed.

sd/-
15/03/2023

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/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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

ORDER
IN
CRL OP(MD) No.4885 of 2023
Date :15/03/2023

RK/BUC/SAR-1 (21/03/2023) 2P/3C