



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/03/2023

PRESENT

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

CRL OP(MD). No.5412 of 2023

Arunkumar

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station
Bodinayakkanur, Theni District.
Cr.No.8/2023.

... Respondent/Complainant

For Petitioner : M/s.Mahendrapathy.S,
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. 8/2023 on the file of the Respondent police.

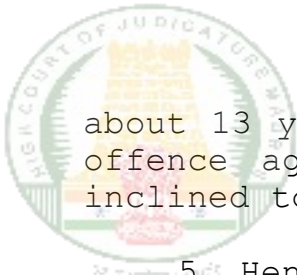
ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 5(i),5(j)(ii) and 6 of POCSO Act in Crime No.8 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 was 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 victim 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 petitioner herein had committed penetrative sexual assault on the minor victim girl aged



about 13 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.

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/ TRUE COPY /

/03/2023

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

TO

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

ORDER

IN

CRL OP(MD) No.5412 of 2023

Date :23/03/2023

SA/MMS/SAR IV/27/03/2023/2P/3C