



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

Date : 24/03/2023

PRESENT

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

CRL OP(MD) . No.5549 of 2023

Muthusamy @ Daniel

... Petitioner / Accused No.1

Vs

The State Represented by
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District
Crime No.194 of 2022.

... Respondent / Complainant

For Petitioner : M/s.Jeyakarthik M.S., Advocate.

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

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

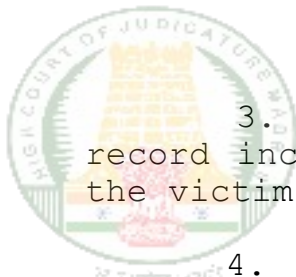
PRAYER :-

For Anticipatory Bail in Crime No.194 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC and section 4 of TNPHW Act and sections 6,7 and 8 of POCSO Act in Crime No.194 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused and the defacto complainant belong to the same locality. On 19.08.2022 since the father of the defacto complainant was ill she went to see her father. On 21.08.2022 when she returned home she came to know that the first accused misbehaved with her daughter, hence the defacto complainant went to the house of the first accused and questioned them, at that time the accused persons abused and attacked the defacto complainant and they also threatened with dire consequences.



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 compelled her and threatened her. Thereafter he had penetrative sexual assault on the minor victim girl and he has taken photos. That apart he has misbehaved with so many minor children. Further the petitioner also involved in three cases under 302 of IPC, 307 of IPC and another POCSO Act cases. 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/-
24/03/2023

/ TRUE COPY /

/03/2023

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

AAV

To

1.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5549 of 2023
Date :24/03/2023

ED/MMS/SAR-1 (29/03/2023) 2P 3C