



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/03/2023

PRESENT

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

CRL OP(MD) . No.5807 of 2023

K.Sonaipandi

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Sub Inspector of Police,
Austinpatti Police Station,
Madurai District.
Crime No. 43 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Vignesh Kumar K,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

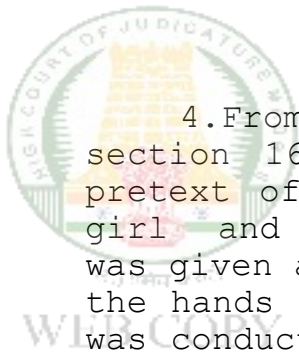
For Anticipatory Bail in Crime No. 43 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Girl Missing @ Section 366 of IPC in Crime No.43 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the daughter of the defacto complainant left her house due to the defacto complainant scolded her for her activities and while leaving the house she has taken away Rs. 3 lakhs and 25 sovereigns of gold ornaments. Initially the case was registered as girl missing and subsequently the case was altered to section 366 of IPC.

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 record, per section 164 of Cr.P.C, it is seen that the petitioner on the pretext of marriage the petitioner had kidnapped the minor victim girl and had taken her to so many places. Initially the complaint was given as Girl Missing and thereafter the girl was secured from the hands of the petitioner herein and as such medical examination was conducted. In the medical check up it was found that the victim sustained injuries in her breast and her hymen was not intact. Further due to the sexual assault the victim got pregnant and later it was aborted. 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/-

29/03/2023

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/04/2023

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

AAV

TO

1 THE SUB INSPECTOR OF POLICE
AUSTINPATTI POLICE STATION, MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.5807 of 2023

Date :29/03/2023

RS/SSS/SAR-4 (03.04.2023) 2P 3C