



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

Date : 31/03/2023

PRESENT

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

CRL OP(MD) . No.6161 of 2023

Esakkipandi

... Petitioner / Sole Accused

Vs

The State rep by
The Inspector of Police,
Muneerpallam Police Station,
Thirunelveli District.
(Crime No.29/2023).

... Respondent / Complainant

For Petitioner : M/s.Senthil Murugan C, Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

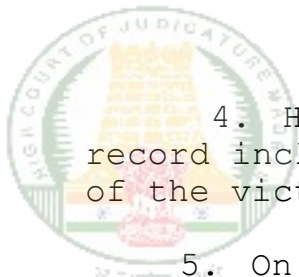
For Bail in Crime No.29/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 01.02.2023 for the offence punishable under Girl Missing @ section 366 of IPC and Sections 366 of IPC and sections 5(1) and 6 of POCSO Act in crime No.29 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein said to have abducted the victim girl and had physical relationship with her, hence the case.

3. The learned counsel for the petitioner would submit that it is a case of love affair and the petitioner fell in love with the victim girl and they both eloped some where and had physical relationship with her. Further he is also ready to marry the victim girl.



4. Heard both sides and perused the materials available on record including the First Information Report and also the statement of the victim recorded under section 164 of Cr.P.C.

5. On perusal of the statement recorded under section 164 Cr.P.C it is revealed that the petitioner on the pretext of love and marriage had physical relationship with the minor victim, therefore he has committed a very serious and heinous offence as against the minor victim girl, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
31/03/2023

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/04/2023

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

AAV

To

1.The Sessions Judge,
Special Court for POCSO Act cases,
Tirunelveli.

2.The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.

3.The Superintendent,
Central Prison,
Palayamkottai, Tirunelveli.

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

ORDER
IN
CRL OP(MD) No.6161 of 2023
Date :31/03/2023

ED/CG/SAR-3 (06/04/2023) 2P 5C