



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/04/2023
PRESENT

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

CRL OP(MD) . No.6788 of 2023

Thirumalainambi

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
(Crime No.218/2022).

... Respondent/Complainant

For Petitioner : Mr.S.Sivakumar,
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 Cr No.218/2022 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 @ 366 of IPC and Sections 5(1) r/w. 6 of POCSO Act in Crime No.218 of 2022 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 kidnapped her and committed penetrative sexual assault on her 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 taken the minor victim girl who is aged about 17 years and 6 months on the pretext of love and had committed penetrative sexual assault



and thereafter the victim was rescued and handed over to her parents. 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. In the result, the petition stands dismissed.

sd/-

17/04/2023

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/04/2023

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

AAV

TO

- 1 THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to S.SIVAKUMAR Advocate SR.No.5889

ORDER

IN

CRL OP(MD) No.6788 of 2023
Date :17/04/2023

SA/CG/SAR.3/21.04.2023/2P/4C