



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

Date : 20/04/2023

PRESENT

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

CRL OP(MD). No.7370 of 2023

Muthu Surya @ Surya

... Petitioner / Sole Accused

Vs

The State rep by
The Inspector of Police,
All Women Police Station
Tiruchendur,
Tuticorin District.
(Crime No. 4 of 2023.)

... Respondent / Complainant

For Petitioner : Mr.S.Siva Thilakar, 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. 4 of 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(1) r/w 6 of POCSO Act in Crime No.4 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 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.

<https://www.mhc.tn.gov.in/judis> This is the second application for anticipatory bail and



the earlier application for anticipatory bail was dismissed in this Court on 10.03.2023 in Crl.O.P(MD) No.3398 of 2023 and there is no change in circumstances of the case to consider the present anticipatory bail petition even after dismissal of the petition. That apart the petitioner involved the victim girl into prostitution and compelled her to have sexual intercourse with them hence this court is not inclined to grant anticipatory bail to the petitioner

5. In the result, the petition stands dismissed.

sd/-
20/04/2023

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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,
All Women Police Station,
Tiruchendur,
Tuticorin District.

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

ORDER
IN
CRL OP(MD) No.7370 of 2023
Date :20/04/2023

ED/MMS/SAR-2 (25/04/2023) 2P 3C