



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

Date : 07.06.2023

PRESENT

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

CRL OP(MD)No.9828 of 2023

Sivamoorthi @ Vijay

... Petitioner / Sole Accused

Vs

The State Represented by
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(In Crime No.205 of 2023)

... Respondent / Complainant

For Petitioner : Mr.R.Karunanithi, Advocate

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

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

PRAYER :-

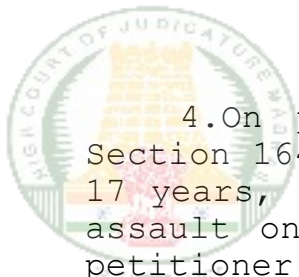
For Anticipatory Bail in Crime No.205 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 366(A) IPC and Section 5(1) and 6 of POCSO Act, 2012 in Crime No.205 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's daughter, who is aged about 17 years, went to type writing class on 17.05.2023 and she did not return to home. The defacto complainant enquired about her daughter and she came to know that the petitioner herein was kidnapped the minor girl of the defacto complainant. Hence, the case.

3.Heard both sides and perused the materials available in the record.



4. On perusal of statement of the minor girl record under Section 164 Cr.P.C., revealed that the minor girl, who is aged about 17 years, was kidnapped by the petitioner and had penetrated sexual assault on compulsion. Now the victim girl was rescued from the petitioner and as such, custodial interrogation of the petitioner is very much required in this case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
07/06/2023

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/06/2023

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

GNS

To

1. The Inspector of Police,
Alanganallur Police Station,
Madurai District.

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

ORDER
IN
CRL OP(MD) No.9828 of 2023
Date : 07/06/2023

ED/CG/SAR- (21/06/2023) 2P 3C