



CRL OP(MD). No.12477 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12477 of 2023

Balamurugan,

... Petitioner/Petitioner /Sole Accused

Vs

State Rep.by

The Inspector of Police,

All Women Police Station,

Valliyoor,

Tirunelveli District.

Crime No.17/2022..

... Respondent/Respondent/Complainant

For Petitioner : M/s.Krishna Kumar.S, Advocate.

For Respondent : Mr.B.Nambiselvan,

Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.17/2022 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 9(l), 9(m) and r/w 10 of

Protection of Child From Sexual Offences Act, 2012 in Crime No.17 of 2022 on the

<https://www.mhc.tn.gov.in/judis>



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file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution, as per the de-facto complainant Marrymathalem is that her daughter is studying IX standard at Government Higher Secondary School and she used to go to Tuition every day. The accused, who is a married man, working in abroad had come to the native place and on 04.08.2022, while her minor daughter was going alone near Amman Temple, he came near her and put his hand on her shoulder and kissed her daughter in her right cheek and her daughter tapped his hand. Even after 2 days, he had continued to stalk her daughter and had kissed her. Since her daughter refused to go to tuition, the defacto complainant enquired her and she had disclosed that the accused harassed her sexually. 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. This is the third application for anticipatory bail and the earlier petitions were dismissed on 12.01.2023 and 21.03.2023. Further the petitioner who is aged about 44 years having two children misbehaved with the victim girl. There is no change in circumstances of the case even after dismissal of the second petition, hence this court is not inclined to grant anticipatory bail to the petitioner.



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5. Hence, this petition stands dismissed and the petitioner is directed to surrender before the concerned Magistrate Court or respondent police herein and thereafter, seek regular bail.

sd/-
10/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

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

ORDER
IN
CRL OP(MD) No.12477 of 2023
Date :10/07/2023

PKP/MMS/SAR- /24.07.2023/ 3P/3C

Madurai Bench of Madras High Court is issuing certified
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