



CRL OP(MD) No.14831 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.14831 of 2023

THANGARAJ

... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR,MADURAI DISTRICT.
(IN CRIME NO.175 OF 2023)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAJASEKARAN, Advocate
For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO.175 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections 5(1) r/w 6 of
Protection of Children from Sexual Offences Act, in Crime No.175 of 2023 on the file
of the respondent police, seeks anticipatory bail.



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2. Girl missing FIR was registered on the basis of the complaint given by the grandmother of the victim, stating that his grand daughter was residing with her. On 19.07.2023, after returning from her work, she found the granddaughter missing. At about 06.00 p.m., her grand daughter informed her that she went to Melur and will return shortly. But, she did not return. Later it came to know that the petitioner took the above said victim girl and subjected her to sexual intercourse. Over which, the case was altered and alteration report was filed for the offences punishable under Section 5(1) r/w 6 of POCSO Act. Later on coming to know about the registration of the FIR she returned to the house.

3. During the course of investigation, it was found that the victim girl is aged about 17+ years. She was subjected to medical examination and found that her hymen was not intact.

4. The learned counsel for the petitioner would submit that there is love affair between them. After attaining majority, the petitioner is ready to marry the victim girl. He has also filed an undertaking affidavit to that effect.

5. In view of the undertaking affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



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learned Additional Sessions Judge, Special Court for Cases under POCSO Act, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the (*)learned Sessions Judge concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. He should keep up his promise as per the undertaking affidavit filed before this Court. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
15/09/2023

(*)FOR BEING MENTIONED AS PER ORDER OF
THIS HON'BLE COURT DT.10/10/2023 IN
CRL.OP(MD).14831/2023.

/ TRUE COPY /

/10/2023

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

TM
TO
TO BE SUBSTITUTED WITH THE ORDER DT. 15/09/2023 ALREADEY
DESPATCHED



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1 THE ADDITIONAL SESSIONS JUDGE,
SPECIAL COURT FOR CASES UNDER POCSO ACT, MADURAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.S.RAJASEKARAN Advocate SR.No. 14916(I)

ORDER
IN

CRL OP(MD) No.14831 of 2023

Date :15/09/2023

RS/JGB/SAR-(27.09.2023) 4P 4C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023

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PKP/VRS/SAR- /16.10.2023/ 4P/ 5C