



CRL OP(MD). No.15283 of 2023

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

Date : 20/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15283 of 2023

Vasanthakumar

... Petitioner / Accused

Vs

State represented by
The Inspector of Police,
Samayanallur All Women Police Station,
Madurai District.
(Crime No.20 of 2023).

... Respondent / Complainant

For Petitioner : Mr.R.Karunanidhi, 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.20 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 448 IPC and Sections 7 and



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8 of POCSO Act, 2012, in Crime No.20 of 2023 on the file of the respondent Police,
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seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that her daughter aged about 12 years is living with him. Because of some difference of opinion between himself and his wife, they are living separately. The accused namely Vasanthakumar was making frequent trouble to his daughter, compelling and forcing her to love him. During the temple festival, he misbehaved with his daughter, that was informed to him, he made enquiry and warned the accused. Because of the position of his family, he admitted the victim girl in the hostel. On 12.08.2023, she was taken to the house for treatment and at about 1.30 p.m, again, the accused trespassed into the house of the victim girl and misbehaved with her. Because of his misbehaviour, she raised alarm, so he ran away from that place. When that was enquired by the defacto complainant, again the petitioner stated that he is loving is daughter, over which, the present complaint has been given.

3. Seeking anticipatory bail, this petition has been filed by the petitioner, on the ground that he is the close relative of the victim girl. By mis-conception of facts only, First Information Report has been registered.

4. The learned Additional Public Prosecutor would submit that summon was



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issued to the petitioner, he was also present and stated that the victim is his cousin sister and he never misbehaved with her.

5. Reading of the complaint, it does not indicate any previous motive between the petitioner and the defacto complainant. The petitioner being very young and the victim girl is aged about only 12 years. Even though the defacto complainant warned the petitioner, when he misbehaved with the victim girl during the temple festival, he did not correct himself. Later also, he committed the very same offence.

6. Considering the above said conduct of the petitioner, he is not entitled for any discretionary relief. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
20/09/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Inspector of Police,
Samayanallur All Women Police Station,
Madurai.



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

ORDER
IN
CRL OP(MD) No.15283 of 2023
Date :20/09/2023

ED/DD/SAR- (01/11/2023) 4P / 3C

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