



CRL OP(MD)No.18123 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.18123 of 2023

M.Needhi

... Petitioner/ Accused No.2

Vs

State rep. by
The Inspector of Police,
Checkkanurani Police Station,
Madurai District.
Crime No.92 of 2023

... Respondent/ Complainant

For Petitioner : Mr.M.Kannan, Advocate

For Respondent : Mrs.M.Aasha,
Government Advocate(Crl.side)

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



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PRAYER:-

For Anticipatory Bail in Crime No.92 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) and 427 IPC and Sections 11(4) and 12 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989 in Crime No.92 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 in this case is said to have compelled the victim girl, who is aged 15 years old, to love him. Hence, there was a quarrel arose between them and the accused persons damaged the household articles of the victim's house. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged occurrence. He would further submitted that A1 in this case was arrested and released on bail. Hence, he seeks anticipatory bail to the petitioner.



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4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the accused persons threatened the victim girl to fall in love with the first accused in this case. Hence, she objected to grant anticipatory bail to the petitioner.

5.On perusal of records, it is noticed that the main accused in this case was arrested and released on bail. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under Prevention of Children from Sexual Offences 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 respondent police or the police officer who intends to arrest or to



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the satisfaction of the learned Magistrate concerned, failing which, the petition for
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anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the trial Court on summons.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/10/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.The Sessions Judge,
Principal Special Court for
Exclusive Trial of Cases under
Prevention of Children from Sexual Offences Act,
Madurai.

2.The Inspector of Police,
Checkkanurani Police Station,
Madurai District.

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

+1 CC to M/s.M.KANNAN, Advocate (SR-15068[I] dated 12/10/2023)



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ORDER
IN
CRL OP(MD) No.18123 of 2023
Date :11/10/2023

SSA/DD/20.10.2023/6P/5C

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