



CRL OP(MD). No.18290 of 2023

WEB COPY

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

Date : 02/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18290 of 2023

Manikandan

... Petitioner/Sole Accused

Vs

1.The State, represented by
The Inspector of Police,
All Women Police Station,
Illuppur,
Pudukkottai District.
(Crime No.183 of 2023).

2.Pirunthadevi

... Respondents/Complainants

(The second respondent is suo-motu impleaded as
per the order of this Court dated 12.10.2023 in CRL
OP(MD)No.18290 of 2023)

For Petitioner : Mr.P.Ganapathi Subramanian,
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.183 of 2023 on the file of the Respondent
Police.



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ORDER : The Court made the following order :-

The petitioner/accused apprehends arrest at the hands of the respondent police for the offences under Sections 5(1), 5(n), 5(j)(ii) and 6(1) of Protection of Children from Sexual Offences Act, 2012 and Section 506(i) of IPC in Crime No.183 of 2023, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that during the subsistence of the first marriage, it appears that the second marriage was performed by the petitioner. So, a complaint has been given by the defacto complainant

3. The learned counsel for the petitioner would submit that the petitioner is an innocent. Now the victim and the petitioner is living jointly in the petitioner's house. Hence, he prays to grant anticipatory bail to the petitioner.

4. The victim girl is present before this Court and stated that because of some difference of opinion between them, she was deserted by the petitioner. On that ground, she filed the complaint. Now, she was taken to the matrimonial home, since she attained majority.



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5. Considering the facts and circumstances of this case and also considering that the victim is taken to the matrimonial home and they are living jointly, this Court is inclined to grant anticipatory bail to the petitioner.

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 Mahila Court, Pudukkottai, 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. 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/-
02/11/2023

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

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TO

1 THE JUDGE,
MAHILA COURT, PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ILLUPUR,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-15863[I] dated
02/11/2023)

ORDER
IN

CRL OP(MD) No.18290 of 2023

Date :02/11/2023

SS/JGB/SAR- /09/11/2023/4P/5C

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