



CRL OP(MD). No.20724 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20724 of 2023

Mathish,

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
All Women Police Station, Colachel,
Kanyakumari District.
Crime No. 32 of 2023.

... Respondent/Complainant

For Petitioner : Mr.Nimal C R,
Advocate.

For Respondent : M/s. M.Aasha
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 32 of 2023 on the file of the respondent Police.



CRL OP(MD). No.20724 of 2023

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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 Sections 5(1),6,9(1) and 10 of POCSO Act in Crime No.32 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on the pretext of marriage the petitioner has committed penetrative sexual assault on the victim, hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. Hence he seeks anticipatory to the petitioner.

4.The learned Government Advocate(Crl.Side) appearing for the respondent submitted that petitioner herein on false promise of marrying the victim girl had committed penetrative sexual assault and thereafter refused to marry her, hence she objected to grant anticipatory bail to the petitioner.



CRL OP(MD). No.20724 of 2023

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5. Taking into consideration the facts and circumstances of the case and also considering the heinous offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-
17/11/2023

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

AAV
TO

1. The Inspector of Police,
All Women Police Station, Colachel,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.20724 of 2023
Date :17/11/2023

SSA/DD/(22.11.2023)/ 3P/ 3C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.