



CRL OP(MD). No.21392 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.21392 of 2023

Sekar,

... Petitioner/ Accused 8

Vs

The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
(Crime No.35/2023).

... Respondent/Complainant

For Petitioner : Mr.BALASUBRAMANIAN S.,
Advocate.

For Respondent : Mrs.M.AASHA,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.35 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



CRL OP(MD). No.21392 of 2023

police for the offences punishable under sections 344, 506(ii) IPC r/w. Section 4(2), 5 (1), 5(h) and 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.35 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein and other accused have penetrative sexual assault up the victim girl and also threatened her with knife point stating that do not disclose the fact to anybody. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and hence, seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit the petitioner herein and other accused had penetrative sexual assault up with victim and also by taking photographs threatened her with dire consequences. He would further submit that the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the serious nature of allegations made against the petitioner and that the petitioner has also participated in the said occurrence, this Court is not inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.21392 of 2023

6. Accordingly, this Criminal Original Petition is dismissed.

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28/11/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI CITY.

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

ORDER IN
CRL OP(MD) No.21392 of 2023
Date :28/11/2023

SA/JGB/SAR. /06.12.2023/3P/3C

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