



CRL OP(MD) No.1004 of 2024

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

Tuesday, the Twenty Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1004 of 2024

RATHA

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAGANGAI,
SIVAGANGAI DISTRICT.
CR.NO.15/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.RAJA MOHAMED.B.N. Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:

FOR ANTICIPATORY BAIL IN CR.NO.15/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent
police for the alleged offence under Sections 9(1), 9(i), 9(m), 10 and 17 of Protection



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of Children From Sexual Offences Act, 2012, and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.15 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A3 is the mother of the victim girl. A1 committed the sexual assault upon the victim girl, who is aged about 2 years, which was encouraged by the petitioner herein and A3. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is only the owner of the place for making snacks and there is no specific allegation against the petitioner. The entire allegation is only against A1 and A3. A3 is the mother of the victim girl. A1 had illegal intimacy with A3 and the same was extended to the victim girl also. hence, he prays for grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State would submit that admittedly, A1 and A3 are working as employee under the petitioner. A1 is the male employee of the petitioner. He used to misbehave with the victim girl and also made injuries on her private parts. The specific allegation made against the petitioner is that he attacked the victim girl with heated iron rod. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.



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5.Considering the facts and circumstances of the case and also considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7.In the result, this Criminal Original Petition is dismissed.

sd/-
23/01/2024

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/01/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SIVAGANGAI,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1004 of 2024
Date :23/01/2024

SS/JGB/SAR- /30/01/2024/3P/3C

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