



CRL OP(MD) No.1128 of 2024

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

Thursday, the Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1128 of 2024

SIVAN @ SIVAKUMAR

... PETITIONER/ SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VALLIYOOR,
TIRUNELVELI DISTRICT.
CRIME NO.5/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.JEEVIN,
Advocate

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

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.5/2024 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner / accused apprehending arrest at the hands of the respondent
police for the offences punishable under sections 376(2)(1) of IPC in Crime No.5 of



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2024 on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the victim is a mentally retarded woman, who is aged about 30 years. On 14.01.2024, the petitioner brought the victim girl to the store room near a garden and had committed sexual intercourse with the victim girl. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and in order to extract money from the petitioner's family, the defacto complainant made a false complaint against the petitioner and seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner and the victim girl, who is the mentally retarded person, belong to same village. When the victim girl went to watch the dance program at night time, which was conducted during temple festival in her village, the petitioner brought the victim girl and had sexual intercourse with her, hence, he vehemently opposed to grant of anticipatory bail.

5. Considering the facts and circumstances of this case and also considering the allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed

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sd/-
07/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VALLIYOOR,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.1128 of 2024
Date :07/03/2024

SA/GS/SAR. /21.03.2024/3P/3C

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