



CRL OP(MD) No.1640 of 2024

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

Thursday, the Fifteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1640 of 2024

MANIRATHINAM @ MANIRANTHINAM

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
ODDANCHATRAM POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.45 OF 2024)

... Respondent / Complainant

For Petitioner : M/s.K.Palmurugan, 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. 45 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 11(1) & 12 of the protection
of Child from Sexual Offences Act-2012, in Crime No.45 of 2024, seeks anticipatory



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2.The case of the prosecution is that the petitioner is the relative of the victim girl, who is aged about 17 years. The petitioner had love affair with the victim girl and also proposed his love to her. But, the same was refused. Thereafter, the family members of the petitioner went to the house of the victim girl and insisted her mother to send the victim girl with them immediately and also threatened the victim girl and her mother with dire consequences. Due to which, the victim girl consumed poison. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that due to previous enmity, this false case has been foisted against him. There was no sexual assault. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the State opposed to grant anticipatory bail to the petitioner by submitting that the victim girl was admitted in the hospital for a period of 4 days as inpatient and the investigation is still pending. However, he fairly conceded that no previous case is pending against the petitioner. The petitioner and the victim girl are the close relatives.

5. Considering the facts and circumstances of the case and also considering the



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fact that no serious allegation is levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special District Court (POCSO Cases) at Dindigul District, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure his identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during



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investigation or trial;

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(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judge,
Special District Court (POCSO Cases),
Dindigul District.



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2.The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.PALMURUGAN, Advocate (SR-1909[I] dated 15/02/2024)

ORDER
IN
CRL OP(MD) No.1640 of 2024
Date :15/02/2024

ED/ JGB /SAR- (20/02/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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