



CRL OP(MD)No.5224 of 2024

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

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5224 of 2024

Prithiviraj

... Petitioner/Sole Accused

Vs

The Inspector of Police,
AWPS, Tallakulam,
Madurai City.
(Crime No.6 of 2024)

...Respondent/Complainant

For Petitioner : Mr.S.Mahendrapathy, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

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

PRAYER :- For Anticipatory Bail in Crime No.6 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 5(1), 5(j)(ii) and 6 of POCSO Act in Crime No.6 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner and the defacto complainant's daughter, who is a minor girl, loved each other and on the promise of marriage, the petitioner had physical relationship with her, due to which, she got pregnant.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in such criminal activities. He further submits that in fact, the parents of the victim girl are ready to accept the marriage, after four years.

4.The learned Additional Public Prosecutor for the respondent submits that in the statement of the victim girl recorded under Section 164 Cr.P.C., she has stated that there was a love affair between her and the petitioner.

5.Considering the allegations levelled against the petitioner and considering the statement of the victim girl recorded under Section 164 Cr.P.C., this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner 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 Court for POCSO Act Cases, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Special Court for



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POCSO Act Cases, Madurai and on further conditions that:

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- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 am for a period of fifteen days. He has to co-operate for the investigation.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
04/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To

1.The Judge,
Special Court for POCSO Act Cases, Madurai.

2.The Inspector of Police,
AWPS, Tallakulam,
Madurai City.

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

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-4270[I] dated 08/04/2024)

ORDER

IN

CRL OP(MD) No.5224 of 2024

Date :04/04/2024

ED/ VR /SAR- (15/04/2024) 4P / 5C

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