



CRL OP(MD). No.9088 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9088 of 2024

Anand @ Ananth

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
Crime No.1/2024.

... Respondent/Complainant

For Petitioner : M/s.C.R.Nimal, Advocate
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.1 of 2024, for the offence punishable under Sections 5(1), 5(j)(ii) and 6 of Protection of Child from Sexual Offences Act, 2012, has filed this petition seeking anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



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2. The case of the prosecution is that the petitioner and defacto complainant's daughter have loved each other and had physical contact. Since the defacto complainant's daughter is a minor girl, the case has been registered.

3. The learned counsel appearing for the petitioner submits that both the petitioner and the defacto complainant's daughter loved each other and now, they got married. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering that the petitioner and the victim have married each other, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judge on condition that

(i) 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 Special Court for Exclusive Trial Cases under POCSO Act, Kanyakumari District at Nagercoil.



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(ii) 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;

(iii) The petitioner shall appear before the respondent police as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) 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/-
21/06/2024

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/06/2024

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

LR
TO

1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL CASES UNDER POCSO ACT,
KANYAKUMARI DISTRICT AT NAGERCOIL.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, COLACHEL,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.C.R.NIMAL, Advocate (SR-6814[I] dated 21/06/2024)



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ORDER

IN

CRL OP(MD) No.9088 of 2024

Date :21/06/2024

RS/VR/SAR-(28.06.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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