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Crl.O.P.No.32245 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.32245 of 2024

Muniraj

... Petitioner

Vs

The State rep by
The Inspector of Police,
AWPS Bhavani Police Station,
Erode District.
Crime No.43 of 2024.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the even of his arrest concern in Crime No.43 of 2024 on the file of the Inspector of Police, AWPS Bhavani All Women Police Station, Erode District, on such terms and conditions.

For Petitioner : Mr.R.Rajadurai

For Respondent : Mr.Santhosh
Government Advocate (Crl.Side)



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ORDER

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Apprehending arrest in connection with Crime No.43 of 2024 registered for the offences punishable under Section 9 of Prevention of Child Marriage Act, 2006 r/w Section 5(l)(i)(ii) r/w Section 6 of POCSO Act, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the victim girl fell in love with the petitioner and she voluntarily eloped from her parental house and married the petitioner, due to which she got pregnant.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner, who is an adult, aged about 29 years, had committed penetrative sexual assault against the minor victim girl aged about 14 years, due to which she has delivered a child. He further submits that the custodial interrogation of the petitioner is very much required in this case.



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4. This is the second application and the earlier application filed by the petitioner has been dismissed as withdrawn. Now there is no change in circumstances. Considering the facts and circumstances of the case that the petition is a major man aged about 29 years and he induced the minor girl and committed aggravated penetrative sexual assault on her, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition stands dismissed.

02.01.2025

Index : Yes/No

Internet : Yes/No

rts

To

1. The Inspector of Police,
AWPS Bhavani Police Station,
Erode District.

2. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

rts

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