



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

Friday, the Ninth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11555 of 2015

1 K. NATARAJAN

2 MADHUSUDANAN

... PETITIONERS / ACCUSED RANK NOT KNOWN

P.DURGA DEVI

... INTERVENOR

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION, THIRUVAIYARU,

THANJAVUR DT,

CRIME NO.3 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.VELAN, Advocate for

M/S.AJMAL ASSOCIATES Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervenor : M/S.A.SANGAR, ADVOCATE

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

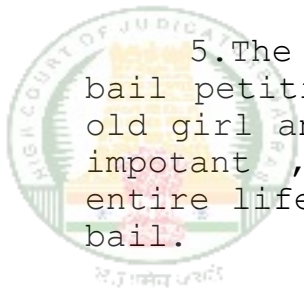
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 498(A) of I.P.C. in Crime No.03 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the de-facto complainant, the first accused had married the de-facto complainant on 09.02.2015 since he is an impotent, the second accused, who is the father of the first accused had sexually harassed her.

3. The learned counsel for the petitioners submitted that both the petitioners are working as academicians in a reputed university in Thanjavur and due to matrimonial dispute between the parties, a false complaint has been given against the petitioners.

4.It is further submitted that the matter was referred to Mediation and in the Mediation Centre, the petitioners/accused regularly appeared, but the de-facto complainant has not chosen to appear before the Mediation Centre and therefore, the Mediation failed.



5. The learned counsel for the intervenor vehemently opposed the bail petition contending that the de-facto complainant is 25 years old girl and the accused knowing themselves the first accused is an impotent, has married the de-facto complainant and spoiled her entire life and therefore, they are not entitled to get anticipatory bail.

6. Heard the learned Government Advocate (Crl.side) appearing for the State.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thiruvaiyaru and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
09/10/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THIRUVAIYARU, THANJAVUR DISTRICT.

+1. CC to M/S.A.SANGAR, Advocate SR.No.60075

ORDER
IN
CRL OP(MD) No.11555 of 2015
Date : 09/10/2015