



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.11756 of 2014

R.MUTHUVIJAYARAGHAVAN

... PETITIONER/ACCUSED RANK NOPT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE

OTHAKKADAI POLICE STATION, MADURAI DIST,

CR.NO.NOT KNOWN OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SHANMUGASELVAM Advocate

For Respondent : MR.C.RAMESH Additional Public Prosecutor

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

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 417 and 506(i) of I.P.C in Crime No.260 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. Today, Mr.S.Ahmed Abdul Khadar, Inspector of Police, Othakadai Police Station, has filed a counter.

4. It is the case of the defacto complainant that she is related to the petitioner and they were in love and that this petitioner had promised to marry her. But, went back on the promise.

5. In the counter filed by the Inspector of Police, it is stated that the petitioner is doing P.H.D., in the Agricultural College, Madurai.He had given enough time to the defacto complainant to produce any material to show that the petitioner was in love with her. After lodging the complaint, the defacto complainant did not co-operate with the police in the investigation. That apart, the Inspector of Police has also made enquiries in and around the area as well as in the place, where the petitioner is working. He is not able to gather any material to corroborate the version of the defacto complainant.



6. The learned counsel for the petitioner submits that the defacto complainant is aged about 40 years and the petitioner is just 27 years and that she wanted to somehow trap him into matrimonial relationship for extraneous reasons.

7. This Court places on record its appreciation to Mr. Ahmed Abdul Khadar, Inspector of Police, Othakadai Police Station, for the fair manner in which, he has conducted investigation and file status report before this Court.

8. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, 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 learned Judicial Magistrate No.I, Melur, Madurai 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] the petitioner shall report before the respondent police station as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

sd/-

12/02/2015

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, MELUR, MADURAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, OTHAKKADAI POLICE STATION, MADURAI DIST

4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SHANMUGASELVAM Advocate SR.No.6910

ORDER

IN

CRL OP(MD) No.11756 of 2014

Date :12/02/2015