



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

Friday, the Twenty Fourth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13353 of 2015

JEYACHANDRAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION, USILAMPATTI,

MADURAI DISTRICT.

CRIME NO. 35 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.VADIVELAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

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

ORDER : The Court Made the following order :-

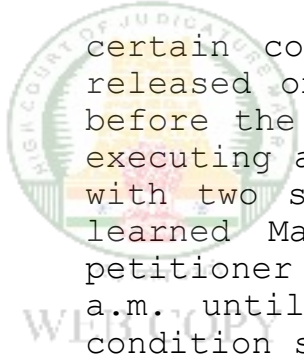
The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 of I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act r/w. Section 9 (M) and 10 of Protection of Children from Sexual Offences Act, in Crime No.35 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, her six years old daughter was raped by the first accused and when the same was informed to her husband/ A2, he supported the first accused.

3. The learned counsel for the petitioner submitted that due to matrimonial dispute between the de-facto complainant and the petitioner, both are living apart and even as per the complaint, the first accused has committed the offence and this petitioner has been falsely implicated in this case.

4. The learned Government Advocate (crl.side) submitted that the first accused was arrested and remanded to judicial custody and the second accused had not taken any action against the first accused for commission of the offence and on the other hand, he supported the accused.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with



certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.I, Usilampatti and on his 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 petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner 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/-
24/07/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.1
USILAMPATTI.

2.THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

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

4.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.

+1. CC to M/S.T.VADIVELAN Advocate SR.No.41284

ORDER
IN
CRL OP(MD) No.13353 of 2015
Date :24/07/2015

RG.29.07.2015 2P.6C.