



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.14352 of 2014

1 MANICKAM

2 THAVASU

... PETITIONERS/ACCUSED 2 TO 3

Vs

STATE REP BY THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, MANAPARAI,

CR. NO. 07/2014.

... RESPONDENT/COMPLAINANT

M.SANTHAKUMARI

... INTERVENOR

For Petitioner : M/S. P. GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl.Side)

For Intervenor : MR.J.ANANDAKUMAR, Advocate

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

ORDER : The Court Made the following order :-

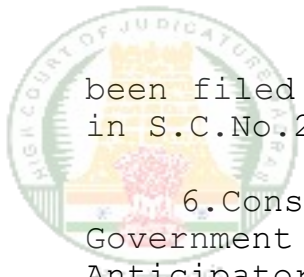
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420, 376, 294(b) and 506(ii) IPC in Crime No.7 of 2014 on the file of the respondent police, seek anticipatory bail.

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

3.Learned counsel for the intervenor strongly opposed for grant of anticipatory bail to the petitioner.

4.It is the case of the prosecution that one Jeyaraj/A-1 had physical affair with the defacto complainant on the promise of marrying her and thereafter, went back on the promise. These petitioners are the parents of A-1. The defacto complainant is aged about 24 years and Jeyaraj/A-1 is aged about 26 years. It is represented that A-1 has already been granted anticipatory bail by this Court in Crl.O.P.(MD).No.14286 of 2014, dated 17.12.2014.

5.The learned Government Advocate (Crl.Side) submits that in this case, investigation has been completed and final report has



been filed and the case has been committed to the Court of Sessions in S.C.No.21/2015.

6.Considering the above submissions made by the learned Government Advocate (Crl.Side), this Court is inclined to grant Anticipatory Bail to the petitioners.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manaparai on condition that each of the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

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

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

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the third petitioner in accordance with law as if the conditions have been imposed and the third petitioner released on bail by the learned Judicial 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/-

02/02/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE,MANAPARAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,TRICHY.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAPARAI
- 4 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. J.ANANDKUMAR Advocate SR.No.5085

ORDER

IN

CRL OP(MD) No.14352 of 2014

Date :02/02/2015