



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

Friday, the Seventh day of August Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15357 of 2015

MARIAPPAN

... PETITIONER/ACCUSED

Vs

THE STATE REP BY INSPECTOR OF POLICE
KARIVALAMVANTHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 338 OF 2003)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.J.ASSOCIATES Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC. 438 CR.P.C.

ORDER : The Court Made the following order :-

The petitioner/sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417 and 376 IPC, in Crime No.338 of 2003 on the file of the respondent police and hence, seeks anticipatory bail.

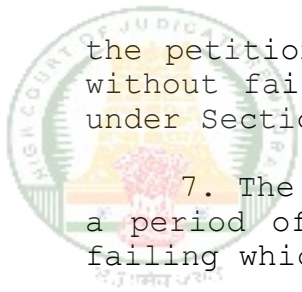
2. The learned Counsel appearing for the petitioner submits that the accused and the de-facto complainant are neighbours and earlier they had love affairs and due to misunderstanding a complaint has been given in the year 2003. Since, the petitioner is working in Indian Army and also due to the reasons that the de-facto complainant has already married to another man, there is no progress in this case. He further submits that the petitioner is ready to appear before the Court concerned and face the trail.

3. The learned Government Advocate (Criminal Side) appearing for the respondent submits that the Non-bailable warrant is pending for long time and hence he is not entitled to anticipatory bail.

4. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

5. Considering the submissions made by the learned Government Advocate (Crl.Side) and also considering the fact, this Court is inclined to grant anticipatory Bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is order to be released on bail in the event of his arrest or on his appearance before the Mahila Court., Services rendered by in/HC Services/ and on 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 judge concerned and on further condition that



the petitioner shall appear before the trial Court for all hearing dates without fail. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-

07/08/2015

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

TO

TO

1. THE MAHILA COURT, TIRUNELVELI DISTRICT

2. THE INSPECTOR OF POLICE, THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI.

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

+1. CC to M/S.K.J.ASSOCIATES SR.No.45099

ORDER

IN

CRL OP(MD) No.15357 of 2015

Date :07/08/2015

GJM/KBM/SAR-I 11.8.2015

2P/5C