



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15972 of 2015

1 CHINNAKARUPPASAMY
2 KALIYAMMAL
3 KALIYAPPAN

... PETITIONERS/ACCUSED No.2 TO 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SANKARANKOIL,
TIRUNELVELI DISTRICT.
IN CRIME NO. 12 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUAMR Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed accused Nos.2 to 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376, 450, 294(b), 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.12 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant that on 25.12.2014, the first accused namely Petchimuthu trespassed into the house of the defacto complainant and committed rape and thereby she got pregnant and thereafter, on 08.08.2015 when the defacto complainant went to the house of the accused, she was abused and threatened by the accused.

3.The learned counsel for the petitioners submitted that the petitioners have nothing to do with the alleged occurrence had taken place on 25.12.2014 and they have been falsely implicated with ulterior motive.

4.The learned Government Advocate (Crl.side) submitted that the first accused had committed rape on the defacto complainant and now she is on the family way and the accused 2 to 4 have not taken any steps for



marriage of the first accused and the defacto complainant and therefore, prayed for dismissal of the anticipatory bail.

5. Considering the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sankarankovil 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.

6. It is made clear that the first accused shall not taken advantage of the order passed in this Crl.O.P.No.15972 of 2015 since the defacto complainant has physically alleged that the first accused had committed rape forcibly on 25.12.2014.

7. 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/-
18/08/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SANKARANKOIL, TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.V.SASIKUAMR Advocate SR.No.47451

ORDER
IN
CRL OP(MD) No.15972 of 2015
Date :18/08/2015