



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

Tuesday, the Twenty Fourth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.16460 of 2015

PON BHARATH

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKOTTAI,
THOOTHUKUDI DISTRICT.
(CRIME NO. 23 OF 2015)

... RESPONDENT / COMPLAINANT

R.Padmamathi

... PETITIONER /INTERVENOR

For Petitioner : M/S A.THIRUVADI KUMAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : Mr.S.C.HEROLD SINGH, Advocate.

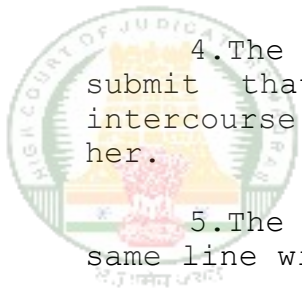
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who arrayed as sole accused, in Crime No.23 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376 of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that giving false promise, the Petitioner had sexual intercourse with the de-facto complainant and subsequently, refused to marry her and hence a complaint has been lodged against the Petitioner and the same has been registered for the offence as referred to above.

3. The case of the petitioner is that the petitioner is innocent and the Petitioner has not committed any offence as alleged by the prosecution. It is further submitted that the de-facto complaint had married on Muthukumar on 19.03.2010 and the de-facto complaint had obtained an ex-parte order of divorce from her husband Muthukumar on 16.10.2012 in I.D.O.P.No.237 of 2012, by the learned Sub-Judge,



4.The learned Government Advocate(Crl.side), on instructions, would submit that on giving false promise, the Petitioner had sexual intercourse with the de-facto complainant and later on refused to marry her.

5.The learned counsel for the intervenor had also submitted on the same line with the learned Government Advocate(Crl.side).

6.Considering the facts and circumstances of the case as stated above, 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 arrest or on his appearance before the learned Judicial Magistrate No.I,Thoothukudi, Thoothukudi District, 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.

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/-
24/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I
THOOTHUKUDI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKOTTAI,
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S A.THIRUVADI KUMAR Advocate SR.No.67094

ORDER
IN
CRL OP(MD) No.16460 of 2015
Date :24/11/2015