



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Eighth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17210 of 2015

1 CHANDRI
2 SARITHA
3 USHA
4 MURUGAN

..PETITIONERS/ACCUSED 2 TO 5

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ETHAMOZHI POLICE STATION,
ETHAMOZHI, KANYAKUMARI DISTRICT.
(IN CRIME NO. 290/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S L.GEORGE PAUL ANTO Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

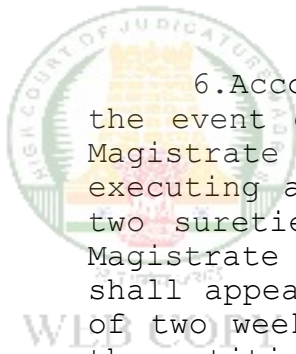
The petitioners, who are arrayed as A2 to A5 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 147, 417, 376 and 506(i) of IPC, in Crime No.290 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant that A1 had sexual intercourse with her on 21.08.2015 by giving false promise to marry her and subsequently, he refused and when the same was questioned, all the accused threatened the de-facto complainant with dire consequences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the petitioners are parents and sisters of A1; that the de-facto complainant is aged about 21 years; A1 and the de-facto complainant fell in love with each other and on 21.08.2015, she eloped with A1 and also married. It is further submitted that A1 had gone to aboard to attend his work and it was misunderstood by the de-facto complainant, as if she was cheated by him. The learned counsel further submitted that the de-facto complainant and A1 were residing in the house of the first petitioner from 21.08.2015 as husband and wife and the petitioners have no objection for their marriage. The learned counsel has filed the affidavits of these petitioners to that effect. It is further contended that the petitioners are nothing to do with the allegations made against A1 and hence, their application can be considered.

4.Heard the learned Government Advocate (Criminal side) appearing for the respondent.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District 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 4th petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation and the petitioners 1 to 3 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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/-

08/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ETHAMOZHI POLICE STATION, ETHAMOZHI, KANYAKUMARI DISTRICT.

+1. CC to M/S L. GEORGE PAUL ANTO Advocate SR.No.52860

ORDER IN

CRL OP(MD) No.17210 of 2015

Date : 08/09/2015

PBK/AAL-MPA/SAR-II 10/09/2015 :: 2P-6C::