



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

Tuesday, the Fifteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17880 of 2015

SOLOMON THANGARAJ

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ANNANAGAR POLICE STATION,
MADURAI CITY.
(CRIME NO. 1389 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SOLAISAMY Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, in Crime No.1389 of 2015 on the file of the respondent police, was arrested on 24.08.2015 for the alleged offences punishable under Sections 294(b), 420, 346, 376 and 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and hence, seeks bail.

2. According to the de-facto complainant, that the accused who was already married and the marriage was subsisting gave false promise of marrying her and had sexual relationship and thereafter, he refused to marry the defacto complainant.

3. The learned counsel for the petitioner submitted that the petitioner and his wife were living apart for long number of years which is known to the de-facto complainant, who is aged about 26 years and she was living with the petitioner for considerable period of time and after she conceived, the petitioner had given all necessary treatments and after the birth of the child, she started live with her parents and she also attempted to sell the child. Hence, the petitioner filed a H.C.P.No.1211 of 2015 before this Court and after notice in the H.C.P., the present complaint is filed with an ulterior motive. The learned counsel for the petitioner



further submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. Per contra, The learned Government Advocate (Crl.side) opposed the bail petition stating that the investigation is at initial stage and the petitioner has committed grave offence and he is not entitled for anticipatory bail.

5. However, considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate No.VI, Madurai and on further condition that the petitioner shall appear before the Judicial Magistrate No.VI, Madurai daily at 10.00 a.m. until further orders.

sd/-
15/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUB INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, MADURAI CITY.

+1. CC to M/S M.SOLAISAMY Advocate SR.No.54430

Akm/15.09.2015 /2p-7c/

ORDER

IN

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Date :15/09/2015