



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

Wednesday, the Thirtieth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18832 of 2015

1 V. VISWANATHAN

2 A. LAKSHMI

... PETITIONERS / ACCUSED 2 & 3

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SANARPATTI POLICE STATION,

DINDIGUL DISTRICT.

(CRIME NO. 397/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.MAHENDRAN Advocate

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

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

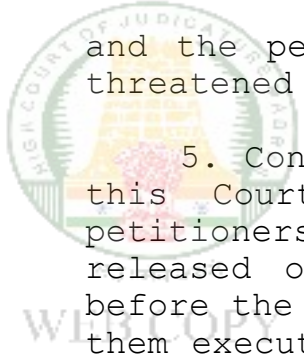
ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused Nos.2 and 3, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 376,493,294(B) and 506(i) of IPC, in Crime No.397 of 2015, on the file of the respondent police, seek anticipatory bail.

2. According to the de facto complainant, that the first accused who is working in Indian Army had physical relationship with her assuring to marry her, but later refused to marriage, thereby cheated the de facto complainant and thereby, committed rape on her. When this was informed to accused Nos.2 and 3, they threatened the de facto complainant with dire consequences.

3. The learned counsel for the petitioners submitted that the first petitioner is the maternal uncle and the second petitioner is the mother of the first accused and they have been falsely roped in this case with an ulterior motive. It is further contended that the first accused has already been secured. Even as per the complaint, the first accused and the de facto complainant had been with love affair for the past 7 years.

4. The learned Government Advocate (Crl. Side) would submit that the first accused has committed rape on the de facto complainant and has been secured and remanded to Judicial custody



and the petitioners who are arrayed as accused Nos. 2 and 3 have threatened the de facto complainant with dire consequences.

5. Considering the overtact attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-III, Dindigul, 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 as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. It is made clear that the accused No.1 shall not take advantage of the order passed in this Crl.O.P.

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/-
30/09/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE-III
DINDIGUL.
- 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

+1. CC to M/S P.MAHENDRAN Advocate SR.No.57592

ORDER
IN
CRL OP(MD) No.18832 of 2015
Date :30/09/2015