



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.20714 of 2015

SABARIMANI@ SAVURIMANI

.. PETITIONER / ACCUSED NO.1

Vs

THE STATE THROUGH THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAMADURAI ,
SIVAGANGAI DISTRICT,
CR NO.41/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S V.P.RAJAN Advocate

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

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

ORDER : The Court Made the following order :-

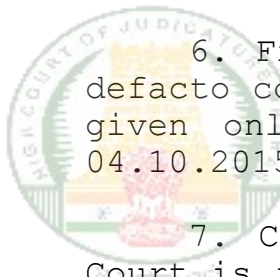
The petitioner, who is arrayed as accused No.1, in Crime No.41 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376 and 506(ii) of the Indian Penal Code and also under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other and by giving false promise, the petitioner had sexual relationship with the defacto complainant for more than six years. Subsequently, he refused to marry her.

3. The case of the petitioner is that the defacto complainant has given a false complaint and he has been falsely implicated in this case and he married one Theivanai on 04.10.2015. On coming to know the marriage of the petitioner with Theivanai, the defacto complainant has given a complaint on 06.10.2015 alleging that the petitioner is having sexual relationship for the past six years.

4. The learned counsel for the petitioner submitted that Section 376 of the Indian Penal Code will not attract the case, since she has not given any complaint for the past six years.

5. The learned Government Advocate (Criminal Side) submitted that by giving false promise, the petitioner had sexual relationship with the defacto complainant.



6. From the materials it is seen that for six long years, the defacto complainant and petitioner had intimacy and the complaint is given only after six years, when the petitioner got married on 04.10.2015.

7. Considering the facts and circumstances of the case, 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 District Court cum Mahila Court, Sivagangai and on 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 conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned court 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/-
25/11/2015

/ TRUE COPY /

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

TO

1. THE DISTRICT CUM MAHILA COURT, SIVAGANGAI
2. THE INSEPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MANAMADURAI, SIVAGANGAI DISTRICT,
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.P. RAJAN Advocate SR.No.67838

ORDER
IN
CRL OP(MD) No.20714 of 2015
Date :25/11/2015

GJM/SK/SKN/SARII-27.11.2015-2P-5C