



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

Friday, the Twentieth day of November Two Thousand Fifteen

PRESENT

WEB COPY

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

CRL OP(MD) No.20830 & 20182 of 2015

1 VEERAPPAN

2 AMMASI

3 PERIYALAH

.. PETITIONER/ ACCUSED NO.2 TO 4
IN CRL.OP(MD)NO.20830/2015

PANDI

.. PETITIONER/ACCUSED
IN CRL.OP(MD)NO.20182/2015

Vs

STATE THROUGH INSEPECTOR OF POLICE

ALL WOMEN POLICE STATION,

MELUR,MADURAI DISTRICT.,

CRIME NO.138/15

IN CRL.OP(MD)NO.20830/2015

CRIME NO.NOT KNOWN/14

IN CRL.OP(MD)NO.20182/2015

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S S.J.CHAKKARAVARTHY Advocate
IN BOTH THE PETITIONS

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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 A4 in Crime No.138 of 2015 on the file of the respondent police apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376 and 506(ii) of I.P.C., and Section 4 of TNPWH Act and hence, seek anticipatory bail.

2.The petitioner in 20182 of 2015, is arrayed as A1 and the petitioners in Crl.O.P.(MD).No.20830 of 2015, are arrayed as A2 to A4. A1 is the husband of the friend of the de-facto complainant and A2 is the father, A3 is the mother and A4 is the brother of A1.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The case of the prosecution is that A1 viz., Pandi by giving



a false promise to marry the de-facto complainant viz., Sundari aged about 37 years, had physical relationship and thereafter he refused to marry her and therefore, the de-facto complainant gave a complaint against the petitioner for offence under Sections 417, 376 and 506(ii) of I.P.C., and Section 4 of TNPWH Act.

4.The learned counsel for the petitioners submitted that the de-facto complainant is 37 years old and she married one Manthaian and due to some dispute between her husband, she lived with her husband's brother and after demise of her husband's brother, she lived with her husband Manthaian and thereafter, she left the matrimonial home and lived with her parents at Keelayoor Village. He further submitted that A1 is only the friend of the de-facto complainant and the de-facto complainant approached the petitioner to marry her and he refused that proposal and for which, the de-facto complainant gave a complaint against the petitioners. He further submitted that A1 is 27 years old and therefore, he refused to marry her.

5.The learned Government Advocate (Crl.side) on instruction would submit that by giving a false promise to marry the de-facto complainant, A1 had physical relationship with her and subsequently, refused to marry her.

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

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur, Madurai 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 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.

8.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/-
20/11/2015

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT

2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.

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

+2. CC to M/S S.J.CHAKKARAVARTHY Advocate SR.NOS.66496,66497

ORDER

IN

CRL OP (MD) No.20830 &
20182 of 2015

Date :20/11/2015

GJM/JGB/SARII-25.11.2015-2P-7C