



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

Thursday, the Twenty Sixth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22299 of 2015

M.APPAS@ KHAJAMOIDEEN

...PETITIONER/SOLE ACCUSED

Vs

1.THE STATE OF TAMIL NADU

REPRESENTED BY THE INSPECTOR OF POLICE
TALUK POLICE STATION, THANJAVUR DISTRICT,
(CRIME NO.446/2015)

...RESPONDENT/COMPLAINANT

2 M. ABIBUNISHA

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S R.SURESH KUMAR Advocate

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

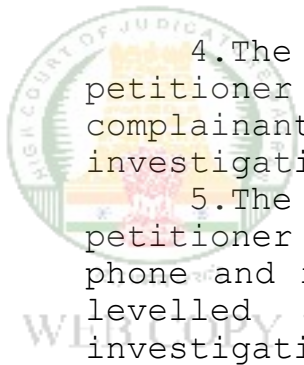
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 376, 386 and 506(i) IPC in Crime No.446 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the brother-in-law of the defacto complainant and in the month of March 2015, the petitioner came to the house of the defacto complainant and gave apple juice and on drinking it, she became unconscious and the petitioner had sexual intercourse with the defacto complainant and took photographs in his cell phone and by threatening her he had sexual intercourse on several occasions and demanded money and received jewels.

3. The case of the petitioner is that the petitioner is an innocent person and there is civil dispute between the petitioner's family and the husband of the defacto complainant's family with regard to a property. In spite of negotiation, the same could not be settled and therefore, the defacto complainant at the instigation of her family members and her husband gave a false complaint to pressurize the petitioner to settle the civil dispute. The alleged offence was committed in March 2015 and the defacto complainant has given a complaint only on 11.10.2015.



4.The learned Government Advocate(Crl.side) submitted that the petitioner had sexual intercourse by threatening the defacto complainant and took the pictures in the cell phone and investigation is pending.

5.The charges levelled against the petitioner is that the petitioner had sexual intercourse and had taken photographs in cell phone and received jewels from the defacto complainant. The charges levelled against the petitioner are serious in nature and investigation is pending, in the circumstances, I am not inclined to grant anticipatory bail to the petitioner. This petition is dismissed.

sd/-
26/11/2015

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE , TALUK POLICE STATION,
THANJAUR DISTRICT,

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

RL/3C/GSV/PM/SARI/1/12/2015

ORDER
IN
CRL OP(MD) No.22299 of 2015
Date :26/11/2015