



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

Friday, the Eleventh day of December Two Thousand Fifteen
PRESENT

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

CRL OP(MD) No.23493 of 2015

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1 CHELLAIAH KONAR
2 MARIAPPAN
3 M.PATTAMMAL
4 SELVA PRIYA
5 SUBBULAKSHMI

... PETITIONERS/ACCUSED NO. 2 TO 6

Vs

1 STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PALAYAMKOTTAI CITY,
TIRUNELVELI DISTRICT
IN CRIME NO.20 OF 2015 ... RESPONDENT/COMPLAINANT

2 MEENAKSHI ... 2ND RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S S.GOKULRAJ Advocate
For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

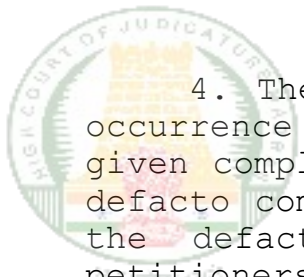
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused 2 to 6, in Crime No.20 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, 294(b), 323 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and hence, seek anticipatory bail.

2. The case of the prosecution is that the first accused had given assurance to marry the defacto complainant and on that false promise, the first accused had sexual intercourse with the defacto complainant and thereafter, the first accused refused to marry her and on her complaint, the case has been registered for the aforesaid offences.

3.The case of the petitioners is that the petitioners are arrayed as A2 to A6 and they are innocent persons and they have not committed any offence as alleged by the prosecution. The first petitioner is the father of A1 and the second petitioner is the brother of A1 and the third petitioner is the wife of the second petitioner and the fourth petitioner is the daughter of the third petitioner and fifth petitioner is the cousin sister of A1.



4. The learned counsel for the petitioners submitted that the occurrence took place on 03.03.2014 and the defacto complainant has given complaint on 05.12.2015. The petitioners are not known to the defacto complainant and only to extract money from the petitioners, the defacto complainant gave a complaint and threatened the petitioners.

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5. Considering the facts and circumstances of the case and also considering the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Tirunelveli, 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 1 and 2 shall appear before the respondent police daily at 10.00 a.m. until further orders and the petitioners 3 to 5 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. 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/-

11/12/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PALAYAMKOTTAI CITY, TIRUNELVELI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.GOKULRAJ Advocate SR.No.41105

ORDER

IN

CRL OP(MD) No.23493 of 2015

Date : 11/12/2015

AA/KBM/SAR-I/15.12.2015/2p-6c