



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

Monday, the Fourteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23646 of 2015

1 CHINNAPONNU
2 SAMINATHAN
3 AMASAVALLI
4 RAMASAMY

..PETITIONERS/ACCUSED 2 to 5

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.
CR NO.147/15.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S D.SELVANAYAGAM Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

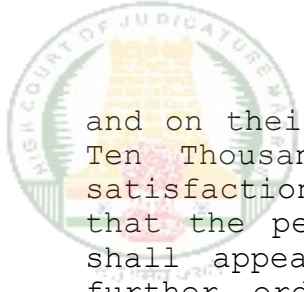
The petitioners, who are arrayed accused Nos. 2 to 5, in Crime No.147 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(ii) IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 and hence, seek anticipatory bail.

2. The case of the prosecution is that the first accused got love with the defacto complainant and the first accused on giving false promise had sexual intercourse with the defacto complainant and she is pregnant for two months and subsequently, 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 defacto complainant is aged 18 years and her date of birth is 21.04.1997 as per the school certificate and the defacto complainant suppressed the said fact and mentioned the age of the defacto complainant as 16 years and the entire allegation is levelled against the son of the first petitioner and brother of the second and third petitioners. The petitioners are innocent persons and they have not committed any offence.

4.The learned Government Advocate (Crl.side) submitted that the first accused was already arrested and he is still in judicial custody.

5.Considering the facts and circumstances of the case that the petitioners are mother and brother of A1, 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 Mahila Court, Madurai,



and on their executing a separate 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 2 and 4 shall appear before the respondent police shall appear before the respondent police daily at 10.00 a.m until further orders and the petitioners 1 and 3 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/-

14/12/2015

/ TRUE COPY /

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

TO

1 THE MAHILA JUDGE, THE MAHILA COURT, MADURAI.

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

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

+1. CC to M/S D.SELVANAYAGAM Advocate SR.No.71413

ORDER IN

CRL OP(MD) No.23646 of 2015

Date :14/12/2015

PBK/JGB-DP/SAR-II 16/12/2015 ::2P-5C::