



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

Friday, the Twenty Fourth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP (MD) No.6459 of 2015

KALAISELVAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KADAMBUR,
THOOTHUKUDI DISTRICT. CR. NO. 8/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAMASAMY Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

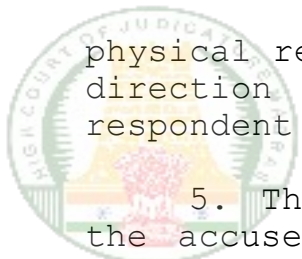
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 376, 294(b), 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.8 of 2014 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 18.10.2014, the petitioner called the de-facto complainant and on promise of marrying her, he had physical contact with her and subsequently, refused to marry her and the further allegation is that on 22.12.2014, she went to the house of the first accused where she has scolded and threatened by the accused 2 and 3.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the de-facto complainant. It is further submitted that the petitioner and the de-facto complainant were studying at Suresh IAS Academy at Tuticorin for Bank Exam and subsequently, the petitioner got employment and the de-facto complainant is still unemployed and to marry this petitioner, she had given a false complaint against him.

4. The learned counsel for the petitioner further submitted that the petitioner and the de-facto complainant are aged about 22 years and the medical evidence is not supporting the prosecution case. It is further submitted that the petitioner did not have



physical relationship with the de-facto complainant and as per the direction of this Court, the petitioner had appeared before the respondent police on 22.04.2015 and gave a statement.

5. The learned Government Advocate (Crl.side) submitted that the accused 2 and 3, who are the parents of the petitioner were already arrested and released on bail in Cr.M.P.No.18 of 2015 on 08.01.2015 and the petitioner appeared before the respondent and gave a statement on 22.04.2015 and his presence is required for medical examination.

6. 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 learned Judicial Magistrate No.I, Kovilpatti and on his 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. He shall co-operate for medical examination also. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner 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/-
24/04/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISRATE NO.I,KOVILPATTI
- 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KADAMBUR, THOOTHUKUDI DISTRICT.

+1. CC to M/S.S.RAMASAMY Advocate SR.No.21966

ORDER
IN
CRL OP(MD) No.6459 of 2015
Date :24/04/2015