



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

Wednesday, the Twenty Second day of April Two Thousand Fifteen

PRESENT

WEB COPY **The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP (MD) No.7520 of 2015

MARIMUTHU

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
CRIME NO.3/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.RAMASAMY, Advocate

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

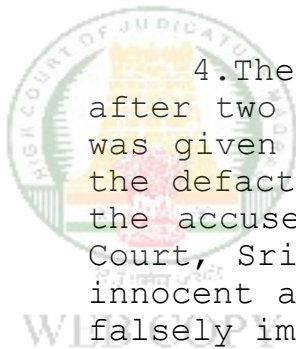
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 376, 120(b) and 506(i) I.P.C. in Crime No.3 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant Sherina, who is aged about 27 years, pledged her jewels, but she could not redeem. So she approached the first accused to redeem the jewels and at that time, the first accused had promised her to marry and had physical relationship with her. Thereafter, he did not keep up the promise and the other accused, who were the wife and sons and daughter of the first accused have threatened her.

3. The learned counsel for the petitioner submitted that the defacto complainant along with her mother and sister had taken a house of the accused for rent, while so one Salim had lodged a complaint with the Superintendent of Police stating that the tenants have indulged in running a brothel home and only thereafter, the accused have requested the tenants to vacate from the petition premises. Due to which, a wordy quarrel arise and the petitioner had lodged a complaint against the defacto complainant and her party <https://hcjudgeservices.mca.gov.in/services/> registered in Cr.No.119 of 2015 by the Inspector of Police, Srivilliputhur Police Station for the offences under Sections 341, 294(b), 420 and 506(ii) IPC.



4.The learned Counsel for the petitioner further submitted that after two months of the registration of the case, a false complaint was given alleging that the petitioner had sexual relationship with the defacto complainant in the year 2009. He further submitted that the accused 2 to 5 were granted anticipatory bail by the Sessions Court, Srivilliputhur. He further submitted that the petitioner is innocent and he is a senior citizen of 69 years old and he has been falsely implicated in this case.

5. The learned Government Advocate(Crl.Side) opposed the application stating that the accused had involved in a serious offence.

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

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judge, Mahalir Neethimandram, Fast Track Court, Srivilliputhur 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 10.00a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
22/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDGE, MAHALIR NEETHIMANDRAM, FAST TRACK COURT,
SRIVILLIPUTHUR.

2 THE INSPECTOR OF POLICE, ALLWOMEN POLICE STATION,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.S.RAMASAMY, Advocate SR.No.21049.