



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

Monday, the Twenty Seventh day of April Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.7591 of 2015

THIRUPATHI ... PETITIONER / 1ST ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KOVILPATTI, THOOTHUKUDI DISTRICT.
CRIME NO.2/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. B. RAJESH SARAVANAN, Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, 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 A1 apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 376, 417, 294(b) and 506(i) of IPC in Crime No.2 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that under the false promise the accused have committed rape and thereafter, threatened her with dire consequences.

3.The learned counsel for the petitioner submitted that the de facto complainant and the petitioner had love affairs and the petitioner is ready to marry her, but she is not interested. He further submitted that as per the direction of this Court, the petitioner has filed an affidavit of undertaking to marry the de facto complainant and the de facto complainant was directed be
<https://hqservicentrs.gov.in/fscs> present before this Court on 30.03.2015. She was present and she refused to marry the petitioner.



4. The learned Government Advocate (Crl.side) would submit that the de facto complainant aged about 21 years and the petitioner and the de facto complainant had love affairs and on false promise the petitioner had physical relationship with the de facto complainant. However, the de facto complainant is not willing to marry the petitioner. He further submitted that the co accused had already granted anticipatory bail by this Court.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused had already granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Kovilpatti and on 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 am until further orders and co-operate with investigation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
27/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

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

+1. CC to M/S. B. RAJESH SARAVANAN, Advocate SR.No.22667.

<https://hcservices.ecourts.gov.in/hcservices/>

msm 29.04.2015 p2/6c

ORDER IN CRL OP(MD) No.7591 of 2015
Date :27/04/2015