



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Tenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8340 of 2014

ARUL

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
LALGUDI TALUK, TRICHY DISTRICT.
CR.NO.3/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.VEERA KATHIRAVAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

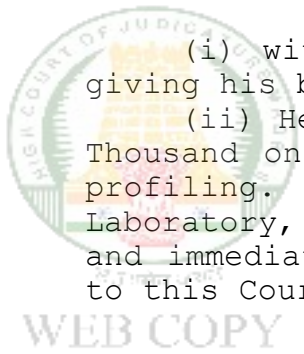
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.3 of 2014 on the file of the respondent police for offences under Sections 417, 420 and 294(b) of I.P.C., the petitioner is now before this Court seeking Anticipatory Bail.

2. The respondent police filed a status report in which it is stated that this petitioner had physical relationship with Aachikannu, the de-facto complainant and on account of which, she conceived and also delivered a male child on 17.07.2014. The paternity of the male child has to be determined. Therefore, this petitioner should subject himself to DNA profiling. In paragraph No.5 of the status report it is stated as follows:

"5. I humbly submit that the victim girl Aachikannu had begot a male child on 17.07.2014. For the purpose of D.N.A. Test, requisition letter was given to the Hon'ble Judicial Magistrate of Lalgudi for collection of blood samples of the victim girl as well as the petitioner herein on 06.09.2014. The Hon'ble Court has issued letter to the Deputy Director, DNA Division, Forensic Sciences Department, Chennai on 18.11.2014. The said letter was handed over to the Forensic Science Department, Chennai on 25.11.2015 and the same was duly acknowledged by the said department. In the said letter the Deputy Director of DNA Division had stated that 'The date for collection of blood cards will be intimated later as lots of cases are pending prior to this case.' Hence for the collection of the blood we are waiting for seniority from the DNA Division."

3. In the opinion of this Court, this cannot brook any further delay. Hence, interim anticipatory bail is granted to the petitioner for a period of two weeks. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Lalgudi, on his executing a bond for a sum of RS.10,000/- (Rupees Ten Thousand only) to the satisfaction of the arresting officer and on further condition that,



(i) within two weeks the petitioner shall accompany the police for giving his blood samples for DNA Test.

(ii) He should also deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with the concerned authorities being the charges for DNA profiling. The Deputy Director, DNA Division, P.T.N.Forensic Sciences Laboratory, Chennai-4 is directed to treat this case on priority basis and immediately conduct the DNA profiling and sent a copy of the report to this Court.

sd/-
10/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI, TRICHY DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, LALGUDI TALUK,
TRICHY DIST.

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

Copy to: The Deputy Director, DNA Division,
Forensic Sciences Department, Chennai.

+1. CC to M/S.VEERA KATHIRAVAN Advocate SR.No.6135

ORDER IN
CRL OP(MD) No.8340 of 2014
Date :10/02/2015

PBK 11/02/2015 ::2P-7C: (IT)