



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

Tuesday, the Twenty Eighth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.8095 & 8142 of 2015

1 POOCHIAMMAL
2 KUTTIPANDI
3 ALAGU NACHAN

... PETITIONERS/ ACCUSED 3,5 & 6
IN CRL OP(MD) No.8095 of 2015

1.MEYANAN
2.MOORTHY

... PETITIONERS/ ACCUSED 7 & 8
IN CRL OP(MD) No.8142 of 2015

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
IN CR. NO. 8/2015.

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.G.MARIMUTHU Advocate IN BOTH PETITIONS

For Respondent : M/S.K.V.Rajarajan Government Advocate (Crl.Side)
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.3 and 5 to 8 in Crime No.8 of 2015 on the file of the respondent, apprehends arrest for the alleged offences under Sections 417, 376 and 506(ii) IPC r/w. Section 4 of Prevention of Child from Sexual Offences Act.

2. It is the case of the prosecution that the first accused under false promise had raped the defacto complainant and that the other accused have threatened the defacto complainant.

3. The learned counsel for the petitioner submitted that the first accused surrendered voluntarily before the police on 13.03.2015 and he was remanded to judicial custody, while the accused Nos.2 and 4 were arrested by the police on the same day and remanded to judicial custody. The third accused is the mother, the fifth accused is the sister and the sixth accused is the brother of the first accused and the accused Nos.7 and 8 are paternal uncle and his son respectively. He would further submit that the main accused has already surrendered and the petitioners, who are family members, have been falsely implicated in this case.



4. The learned Government Advocate (crl. side) vehemently opposed the application stating that the first accused under false promise raped the first accused and the other accused have threatened the defacto complainant.

5. However, considering the overt acts attributed against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their 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 Judicial Magistrate No.II, Virudhnagar and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. 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/-
28/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, VIRUDHUNAGAR.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

+2. CC to M/S.G.MARIMUTHU Advocate SR.No. 23223 & 23222.

TS/29.04.2015/2P-7C

ORDER
IN
CRL OP(MD) Nos.8095 & 8142 of 2015
Date :28/04/2015