



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

Friday, the Twenty Second day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.1137 of 2016

JEDISON

... PETITIONER/SOLE ACCUSED

Vs

1.STATE THROUGH

THE INSPECTOR OF POLICE , ALL WOMEN POLICE STATION,
VALLIYOOR, TIRUNELVELI DISTRICT,
(CRIME NO. 17 OF 2015)

2 C.SAGUNTHALA

(R2 IS IMPEADED AS PER THE ORDER OF THIS HON`BLE COURT
DATED 25/2/2016 AND MADE IN CRL.MP(MD)NO.1760/2016
IN CRL.OP(MD)NO.1137/2016) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.MOHAMED SHERBUDEEN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI

Government Advocate (Crl. Side)

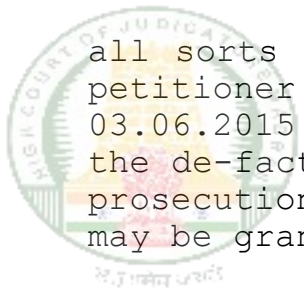
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376, 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.17 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner gave false promise to marry the de-facto complainant and had intercourse with her on 03.06.2015 and 04.06.2015, due to which the de-facto complainant has conceived and the petitioner threatened the de-facto complainant to abort.

3.The learned counsel for the petitioner submitted that the petitioner and the de-facto complainant are neighbours and they were in love and subsequently, they got married and executed a marriage agreement deed in the presence of witnesses and attested by a Notary Public and the de-facto complainant did not accept the same and gave



all sorts of trouble to the petitioner and it was alleged that the petitioner had intercourse with the de-facto complainant on 03.06.2015 and 04.06.2015 and due to which, she had conceived, but the de-facto complainant birth a on 27.11.2015 and hence, the entire prosecution case is false. Hence, he has prayed that the petitioner may be granted anticipatory bail.

4.As per the direction of this court, dated 24.03.2016, DNA test has been conducted and a report was received by this court, wherein it is stated that "from the DNA typing results of the above individuals, it is found that Mr.Jedison is excluded from the paternity of Child-1 Muthuraman and child-2 Lakshmanakumar.

5.Heard the learned Government Advocate (Criminal side) appearing for the first respondent.

6.Considering the above 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 Judicial Magistrate, Valliyoor 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 court concerned in all working days at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The respondent police is at liberty to secure the petitioner in the event of non-compliance of the the above conditions.

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/-
22/04/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, VALLIYOOR
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
VALLIYOOR, TIRUNELVELI DISTRICT.

+1. CC to M/S M.MOHAMED SHERBUDEEN Advocate SR.No.22704
RL/6C/2P/SKS/RR/ARI/3/5/2016

ORDER
IN