



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

Tuesday, the Sixth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.16643 of 2016

THAVAM @ BALASUBRAMANIAN

... PETITIONER/ACCUSED NO.5

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT,
CRIME NO. 16/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioner/accused, prays for grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 376 and 506(ii) IPC in Crime No.16 of 2016 on the file of the respondent police.

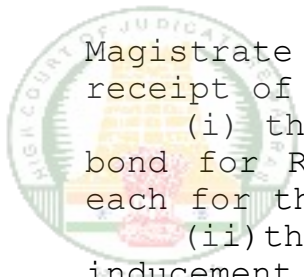
2. The case of the prosecution is that the de facto complainant's daughter, who was discharged from mental-ill home, told that six months prior, she was raped by the first accused. Hence, the de facto complainant came to the house of A1 and abused him and his family members.

3. Learned Government Advocate (Crl. Side) submits that the first accused was arrested and remanded to judicial custody.

4. On consideration of the facts and circumstances of the case and the alleged occurrence taken place 6 months prior Section 376 IPC against the petitioner would not attract, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial



Magistrate No.II, Sivagangai, within 15 days from the date of receipt of a copy of the order,

(i) the petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) the petitioner shall appear before the respondent police daily at 10.30 a.m. for one week and thereafter as and when required.

sd/-

06/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAMADURAI, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.50406

NBJ

CSL/GSV-PM/SAR-III/08.09.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.16643 of 2016

Date :06/09/2016