



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

Friday, the Twenty Third day of September Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.17609 of 2016

1 P.KATHIRESAN
2 R.GANDHITHASAN
3 R.KANNATHASAN

... PETITIONERS/ACCUSED NOS.2 TO 4

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT
(CRIME NO.23 of 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.M.MARI CHELLAIAH PRABHU Advocate
For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as accused Nos.2 to 4, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 9(j), (1) of 10 of Protection of Child from Sexual Offences Act, 2012, in Crime No.23 of 2016, on the file of the respondent police.

2.The case of the prosecution is that due to love failure with A1, the defacto complainant's daughter jumped from the 1st floor and she was admitted in Government Hospital, Madurai.

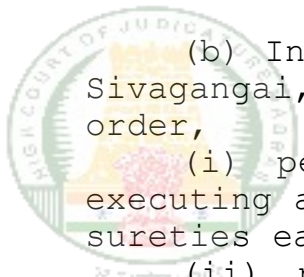
3.The learned counsel for the petitioners submits that in the facts and circumstances of the case, POCSO Act could not stand attracted and they have been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl. Side).

5.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

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

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



(b) In the event of appearance before the learned Mahila Judge, Sivagangai, within 15 days from the date of receipt of copy of the order,

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

(ii) petitioners 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) petitioners shall report before the respondent police daily at 10.30 a.m. for two weeks and thereafter as and when required.

sd/-

23/09/2016

/ TRUE COPY /

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

TO

1. THE LEARNED MAHILA JUDGE
SIVAGANGAI

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

3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT

+1. CC to M/S.C.M.MARI CHELLAIAH PRABHU Advocate SR.No.55431

RL/5C/2P/SK/SKN/SARI/28/9/21016

ORDER

IN

CRL OP(MD) No.17609 of 2016

Date :23/09/2016