



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

Wednesday, the Twenty Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22180 of 2016

P.ANANDAN

..PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
SENGIPATTI POLICE STATION, SENGIPATTI,
THANJAVUR DISTRICT
(CRIME NO.NOT KNOWN OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PRASANTH Advocate

For Respondent : M/s.S.PRABHA, 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 for the alleged offence punishable under Section 376 IPC in Crime No.not known of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.Heard the learned Government Advocate (Crl. Side) appearing for the respondent police .

3.The case of the prosecution is that the defacto complainant/daughter of the petitioner has lodged a complaint that the petitioner has illicit intimacy with another woman.

4.It is the case of the petitioner that he is innocent and he has been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) submitted that the daughter of the petitioner has lodged a complaint stating that he is trying to have affair with another lady and the case has been said to have registered under Section 376 IPC.

6.Considering the facts and circumstances of the case and also taking note of the fact that even assuming that her father has illicit relationship with another lady, since the so-called victim person has not come forward with a compliant, this Court is inclined to grant anticipatory bail to the petitioner.



7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.I, Tanjore, Tanjore District**, subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

[v] on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

23/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THANJORE, THANJORE DISTRICT.
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM.
- 3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, SENGIPATTI POLICE STATION, SENGIPATTI, THANJAVUR DISTRICT.

+1. CC to M/S.S.PRASANTH Advocate SR.No.72479

ORDER IN

CRL OP(MD) No.22180 of 2016

Date : 23/11/2016

PBK/SK-SKN/SAR-I 29/11/2016 :: 2P-6C: