



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

Monday, the Fourteenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4431 of 2016

WEB COPY

1 M. CHINATHAYI
2 S. CHITTAMMAL
3 S. GURUNATHAN
4 S. ANANDAN
5 KOLUNTHAYI
6 K. MUTHU

..PETITIONERS/ACCUSED 3 TO 8

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DINDIGUL.
(CRIME NO. 6 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioners : M/S.A.CHANDRAKUMAR Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 420, 376, 493, 294(b), 506(i) I.P.C., in Crime No.6 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.A.Chandrakumar, learned counsel appearing for the petitioners / accused 3 to 8 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the case, in Crime No.6 of 2016, has been registered pursuant to the directions issued by this Court, in Crl.O.P(MD) No.3233 of 2016.

4. It is the case of the *de facto* complainant that one Thangamani (A1) promised to marry the *de facto* complainant and had sexual relationship with her. Thereafter, Thangamani (A1) refused to marry the *de facto* complainant. It is seen that the *de facto* complainant is already a married and divorced lady, with whom Thangamani (A1) had developed intimacy. The petitioners herein are mother and relatives of Thangamani (A1).

5. Taking into consideration the nature of allegations made against the petitioners / accused 3 to 8, this Court is of the view that this is a fit case to grant anticipatory bail to them. Accordingly, they are ordered to be released on bail in the event of



arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that each of the petitioners / accused 3 to 8 shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners 3, 4 and 6 / accused 5, 6 and 8 shall report before the respondent Police daily at 10.30 a.m., until further orders and the petitioners 1, 2 and 5 / accused 3, 4 and 7 shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / accused 3 to 8 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 3 to 8 shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners / accused 3 to 8 in accordance with law as if the conditions have been imposed and the petitioners / accused 3 to 8 released on bail by the learned 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
14/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, DINDIGUL.

+1. CC to M/S A.CHANDRAKUMAR Advocate SR.No.14187

akm/16.03.2016/2p-6c/MP/AN/AR-I

ORDER

IN

CRL OP(MD) No.4431 of 2016

Date :14/03/2016