



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.4989 of 2016

1 BALAIAH

2 PITCHIAPPAN @ MURUGAN

... PETITIONER/ACCUSED No.3&4

Vs

STATE THROUGH

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

TIRUNELVELI, TIRUNELVELI DISTRICT.

CR NO. 5 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S J.ASHOK Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.3 and 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 376 and 506(i) of IPC and Section 6 of Protection of Children from Sexual Offender Act, in Crime No.5 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that A1 on giving false promise to marry the defacto complainant committed offence of rape and subsequently, he refused to marry her. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the first petitioner is father of A1, second petitioner is brother of A1 and prays for anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that A2 was arrested and released on bail and A1 is still absconding and prayed for dismissal of this petition.



5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are father and brother of A1, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-IV, Thirunelveli and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
15/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE-IV,
TIRUNELVELI
- 2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUNELVELI, TIRUNELVELI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S J.ASHOK Advocate SR.No.30989

ORDER IN
CRL OP(MD) No.4989 of 2016
Date :15/06/2016

trp

SH/ARK-PV/SAR-III:20.06.2016:2P/6C

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