



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

Thursday, the Twenty First day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.12247 of 2017

SUTHAN

... PETITIONER / ACCUSED No.1

Vs

State rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO. 09/2017.

... RESPONDEN / COMPLAINANT

For Petitioner : M/S.K.RAMAMURTHY Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

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

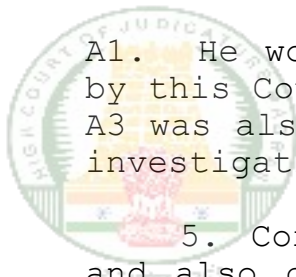
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 11(5) and 12 of Protection of Child from Sexual Offences Act, 2012 and Section 506(i) of IPC, in Crime No.9 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the A1 is said to have given sexual torture to the victim girl, who is aged about 15 years. Subsequently, the petitioner along with other accused persons contact the de-facto complainant over the phone and threatened with dire consequences. The mother of the victim girl lodged a complaint against the petitioner and other accused persons.

3. The learned counsel appearing for the petitioner states that the daughter of the de-facto complainant proposed her love to the petitioner and the same was refused by him. Hence, the false complaint has been foisted by the de-facto complainant family as against the petitioner and the alleged occurrence took place on 12.08.2017 but the case was registered on 30.08.2017. He would further submit that the petitioner is an innocent person and has not committed any offence as alleged by the respondent police.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally three accused in this case and the petitioner herein is arrayed as



A1. He would further submit that A2 was granted anticipatory bail by this Court in CrI.O.P(MD).No.11989 of 2017 dated 12.09.2017 and A3 was also granted bail by the concerned Magistrate Court and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that, nature of the offence and the charge of the petitioner herein and the co-accused were already been granted bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Mahila Fast Track Court, Nagercoil, Kanyakumari District, on condition that the petitioner 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 the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall report before respondent Police daily at 10.30 a.m., until further orders, for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

21/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE
MAHILA FAST TRACK COURT, NAGERCOIL,
KANYAKUMARI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT.

+1CC TO MR.K.RAMAMURTHY, ADVOCATE SR.NO.80243

ORDER

IN

CRL OP(MD) No.12247 of 2017

Date :21/09/2017