



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

Monday, the Thirteenth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1495 of 2017

BALUCHAMY

... PETITIONER/ 1st ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PALANI,
DINDIGUL DISTRICT,
(CRIME NO.22 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.P.CHELLAPANDIAN Advocate

For Respondent : Mr.P.KANDASAMY Govt. Advocate (Crl. Side)

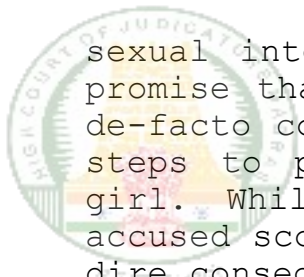
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 417, 376, 506(i) r/w. 109 of I.P.C., in Crime No.22 of 2017 on the file of the respondent police and hence, seek anticipatory bail.

2. The learned Government Advocate (Crl.side) appearing for the respondent states that totally there are 13 accused in this case and the petitioner herein is A1 in this case and the remaining accused were granted anticipatory bail by the Sessions Court in Cr.M.P.No.2681 of 2016, dated 16.11.2016. The case was also registered as per the order of this Court and the crime is of the year 2015. He further states that the victim is aged about 22 years and she is now married and having a child also. He also states that the investigation is over and absconding charge sheet also filed against the petitioner in this case.

3. The case of the prosecution is that the petitioner had love affair with the de-facto complainant for more than 6 years and was also getting amount from the de-facto complainant for educational expenses and on 14.01.2014 and on 24.04.2014, the petitioner had



sexual intercourse with the de-facto complainant, by giving false promise that he will marry the de-facto complainant. Later on, the de-facto complainant came to know that the other accused are taking steps to perform the marriage of the petitioner with some other girl. While the de-facto complainant questioning the same, the accused scolded her by using filthy language and threatened her with dire consequences.

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4. The learned counsel for the petitioner states that the de-facto complainant is having love affair with the petitioner and however, she married one Gubendran on 22.03.2015 and the present complaint came to be lodged with an ulterior motive.

5. Considering the above facts and circumstances of the case and also the fact that absconding charge sheet also filed against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Palani and on his 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 the petitioner shall appear before the learned Judicial Magistrate, Palani, daily at 10.30 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

13/02/2017

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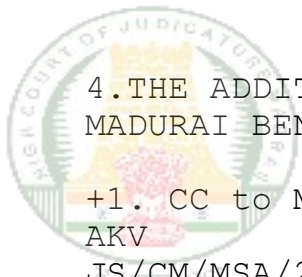
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
PALANI.

2.-DO-THRO CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT,

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALANI, DINDIGUL DIST. OF 2015)



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

+1. CC to M/S.D.VENKATESH Advocate SR.No.8393
AKV

JS/CM/MSA/21.02.2017/3P-6C

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ORDER

IN

CRL OP (MD) No.1495 of 2017

Date :13/02/2017