



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

Friday, the Twenty Fourth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15754 of 2017

1 INIYAKUMAR
2 SANTHA
3 DEVARAJ
4 VIJAYAKANTHI @ VIJAYA

... PETITIONERS/
ACCUSED No.1 to 4

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CRIME NO.12 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MURUGAN 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 / A1 to A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 506(ii) of IPC and Section 4 of Women Harassment Act, in Crime No.12 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the first petitioner's wife made a complaint against these petitioners as if the first petitioner/A1 had illegal intimacy with A4 as per the ill advice of A4 and other accused persons. The first petitioner did not take care of the defacto complainant's family. The defacto complainant's suffered monetary with her two childrens, they were born out of the wedlock. Aggrieved by the same, the defacto complainant filed a complainant before the respondent police.

3.The learned counsel for the petitioners submitted that the accused no.4 is married women, living with her family. Accused Nos.2 and 3 is the mother and father of A4. since the defacto



complainant suspect the relationship, on more suspicious, the defacto complainant filed a false complaint before the respondent police. He further submitted that they have not committed any offence as alleged by the prosecution

5.The learned Government Advocate (Crl.side) appearing for the State submitted that 1st petitioner/A1 had illegal intimacy with A4 and the first petitioner did not take care of his family. Aggrieved by the same, the defacto complainant filed a complaint before the respondent police.

6.This Court is not inclined to grant anticipatory bail to the 1st and 4th petitioners/A1 and A4, since charge against the petitioners/A1 and A4 filed by the first petitioner's wife. Hence this petition is dismissed as against the 1st and 4th petitioners/A1 and A4.

7.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side), there is no specific allegation against the 2nd and 3rd petitioners/A2 and A3, I am inclined to grant anticipatory bail to the petitioners/A2 and A3. Accordingly, the petitioners 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.I, Ramanathapuram District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 third petitioner/A3 shall report before the respondent police, daily at 10.30 a.m., until further orders and the second petitioner/A2 shall report before the respondent police as and when required;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) the petitioners shall not commit any offence while on bail;



(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

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sd/-
24/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.1, RAMANATHAPURAM DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.R.MURUGAN Advocate SR.No.35132

ORDER
IN
CRL OP(MD) No.15754 of 2017
Date :24/11/2017

PK/RR/SAR-1/30.11.2017 : 3P/6C