



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.16169 of 2017

MUTHURAJA

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION,
AMBASAMUTHIRAM,
TIRUNELVELI DISTRICT.
CRIME NO.207/2017

... RESPONDENT

For Petitioner : M/S.R.VINOTH BHARATHI, Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

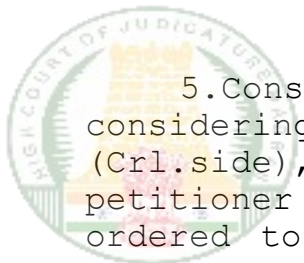
ORDER : The Court Made the following order :-

The petitioner / sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 366(A) @ 366(A) and Section 8 of Protection of Children from sexual offences act, 2012, in Crime No. 207 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant's father filed a complaint before the respondent police as if daughter was kidnapped by her own sister's son, thereby the respondent police registered a case against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner and the defacto complainant's daughter fell in love and they decided to marry each other, which was opposed by the defacto complainant. Since the defacto complainant has not agreed for their marriage, the victim girl consumed poison. The petitioner immediately rushed to the defacto complainant's house and took her to the hospital for better treatment. Against which, the defacto complaint gave a complaint before the respondent police. He further submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that as per Section 164 Cr.P.C Statement, the girl categorically has not given sexual harassment against the petitioner.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), 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 arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Ambasamudram, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioner shall report before the respondent police, as and when required;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioner shall not commit any offence while on bail
- (iv) the petitioner shall not abscond either during investigation or trial;
- (v) 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.

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, AMBASAMUDRAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
KALLIDAIKURICHI POLICE STATION,
AMBASAMUTHIRAM, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.VINOTH BHARATHI Advocate SR.No.35095

ORDER IN
CRL OP(MD) No.16169 of 2017
Date :24/11/2017