



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

Friday, the Twenty Eighth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9754 of 2017

CHELLAM

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPATHUR,
SIVAGANGAI DISTRICT.
CRIME NO. 5 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SURESH Advocate

For Respondent : MR.K.S.DURAIPANDIAN, Additional Public Prosecutor

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

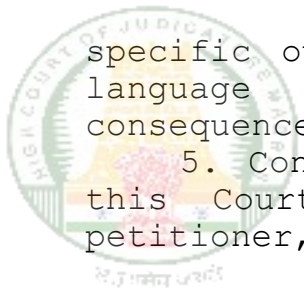
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 376, 417 & 506(i) of IPC., in Crime No.5 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that A1 said to have made sexual intercourse with the defacto complainant on a false promise of marriage and latter refused to marry her. A1 is the son of A2 and he is still absconding. The specific overt act against the petitioner is that he used filthy language and also threatened the defacto complainant and her mother with dire consequences.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two accused in this case and the petitioner herein is arrayed as A2. A1 is the son of A2 and he is still absconding. He would further submit that A1 having sexual intercourse with the complainant on false promise of marriage and latter refused to marry her. The



specific overt act against the petitioner is that he used filthy language and threatened the defacto complainant with dire consequences and her mother.

5. Considering the above facts and circumstances of the case, 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 Judicial Magistrate, Thirupathur, 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 weekly once ie., on every Sunday 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/-
28/07/2017

/ TRUE COPY /

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

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 2 THE JUDICIAL MAGISTRATE, THIRUPATHUR, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPATHUR, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SURESH Advocate SR.No.27500

MPK
CSL/RR/SAR-I/31.07.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.9754 of 2017
Date :28/07/2017