

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Fifth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.988 of 2018

RAMU

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUKOVILUR,
VILLUPURAM DISTRICT.
CR.NO.24 OF 2017

[RESPONDENT]

For Petitioner : M/S.D.LAKSHMIPATHY Advocate

For Respondent : MR. KRITIKA KAMAL P, Govt. Advocate (Crl. Side)

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 417, 376, 294(b) and 506(ii) IPC in Crime No.24 of 2017, seeks anticipatory bail.

2.This is the second anticipatory bail application and the first anticipatory bail application in Cr1.O.P.No.15396 of 2017 was dismissed as against this petitioner, but, however, this court granted anticipatory bail to A2 to A5 on 09.08.2017.

3.Learned counsel for the petitioner submitted that the de facto complainant was not even co-operating with the police for investigation and that is the reason why the investigation is still pending.

4.Learned Government Advocate [Cr1. Side] submitted that despite summons to the de facto complainant, she has not appeared.

5. The allegations of the de facto complainant in the FIR is that she was in love with the petitioner and that the petitioner had physical relationship with her, on the promise of marriage. The de facto complainant is aged about 21 years. In such view of the matter, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, Thirukovilur, Villupuram 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:

[a] the petitioner and sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police for interrogation daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* reported in [(2005) AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
25/06/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUKOVILUR, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUKOVILUR,
VILLUPURAM DISTRICT.

+1CC to M/S.D.LAKSHMIPATHY Advocate on payment of necessary
charges SR NO.11416

CRL OP.988/2018

Date :25/06/2018

MK:27/06/2018