

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.25494 of 2018

V.KANNAPPAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
W-4 ALL WOMEN POLICE STATION,
KILPAUK,
CHENNAI-600 010.
CR.NO.7 OF 2018.

[RESPONDENT]

For Petitioner : M/S.M.P.SARAVANAN Advocate

For Respondent : MR. M.PRABHAVATHI, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest for the alleged offences punishable under Sections 323, 406 and 420 of IPC, in Crime No. 7 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that there are two accused in this case. The 1st accused is the husband of the defacto complainant and the 2nd accused is the petitioner herein. The 1st accused had fallen in love with the defacto complainant and also the 1st accused borrowed a sum of Rs.1,00,000/- from the defacto complainant and thereafter, the 1st accused did not repay the said amount. However, the 1st accused was undertaking to marry her, but the petitioner's son has refused to marry her. As far as the second accused is concerned, he threatened the defacto complainant and hence the complaint.

4. The learned counsel for the petitioner would further submit that the petitioner is the father of the 1st accused and he has been falsely implicated in this case and no previous case is pending as against the petitioner. The 1st accused also arrested and later released on bail.

5. The learned Additional Public Prosecutor would submit that the age of the victim girl is 25 years. Admittedly, the 1st accused fallen in love with the defacto complainant and as far as the petitioner is concerned, the petitioner is the father of the first accused. Therefore, he prays for grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 Metropolitan Magistrate No.II, Allikulam, Egmore, Chennai, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

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

-sd/-
16/11/2018

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 METROPOLITAN MAGISTRATE,
NO.II, ALLIKULAM, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR
INFORMATION]

3 THE PUBLIC PROSECUTOR

HIGH COURT, MADRAS

4 THE INSPECTOR OF POLICE,
W-4 ALL WOMEN POLICE STATION,
KILPAUK,
CHENNAI-600 010.

+1 CC to M/S.M.P.SARAVANAN Advocate on payment of necessary
charges SR.NO.21660

CRL OP.25494/2018

Date :16/11/2018

TA-22/11/2018