



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

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5263 of 2018

SURESHKUMAR

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ANDIPATTI, THENI DISTRICT.
(CRIME NO.19 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN, Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 417, 376, 294(b) and 506(i) I.P.C., in Crime No.19 of 2017, seeks anticipatory bail.

2. The defacto complainant had consensual sexual relationship with one Bharathidasan. The said Bharathidasan had given assurance to the defacto complainant that he would marry her. As a result of the relationship, a girl child has already been born. The petitioner's name is not figuring in the First Information Report.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

4.It is submitted by the learned Government Advocate (Criminal side) that investigation is still pending.



5. However, the statement recorded in the 164 Cr.P.C., the defacto complainant had given allegation that the petitioner had consensual sexual relationship with her. Taking note of the consensual relationship, 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 before the learned Judicial Magistrate, Andipatti, Theni District, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
09/04/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.P.SENGUTTUARASAN Advocate SR.No.5736

ORDER
IN
CRL OP(MD) No.5263 of 2018
Date : 09/04/2018

PK/RR/GSR/13.04.2018 : 2P/6C