



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

Tuesday, the Tenth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5688 of 2018

1 GANESAN
2 THAVASU

... PETITIONERS / ACCUSED NOS.2&3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
JEEYAPURAM, TRICHY DISTRICT.
IN CR.NO. 2/2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.N. ANANDAKUMAR Advocate

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offence punishable under Sections 376, 313, 354 B, 354 D, 506(i) IPC and Section 3 (1) (r), 3 (1) (s) and 3 (2) (va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 in Crime No. 2 of 2018, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

3.The de facto complainant is one Saraswathi. She has given a complaint to the effect that the son of the petitioners herein, who is shown as A1 has love affair with de facto complainant and gave promise to marry her and subsequently he had gone back on his words. The petitioners, being the parents of A1, arranged marriage for him. When the de facto complainant confronted the petitioners herein, the petitioners have insulted her and also threatened her and abused by referring to her caste.

4.This Court went through the material on record. It is seen that the primary grievance of the de facto complainant is only against the petitioners' son and that the petitioners have been roped in for mala fide reasons. This observation is made only for granting anticipatory bail and this observation shall not be taken advantage by the petitioners in any other proceedings.



5.The learned Government Advocate (Crl.side) submitted that the investigation is pending.

6.Considering the nature of allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned I Additional District and Sessions Judge Cum Special Judge, P.C.R. Court, Trichy and on their 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 petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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 shall stand dismissed.

sd/-
10/04/2018

/ TRUE COPY /

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

TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE
CUM SPECIAL JUDGE, P.C.R. COURT, TRICHY.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
JEEYAPURAM, TRICHY DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N. ANANDAKUMAR Advocate SR.No.5838

ORDER
IN
CRL OP(MD) No.5688 of 2018
Date :10/04/2018

MKV-CM-VR-SAR 2/16.4.2018/2P-5C