



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

Friday, the Third day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13575 of 2018

SANTHOSH

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
LALGUDI, TRICHY DISTRICT.
CRIME NO. NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR, Advocate

For Respondent : Mr.A.ROBINSON, Government Advocate(Crl.Side)

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

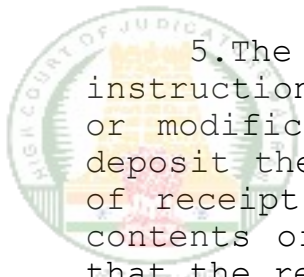
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent Police for the offences under Sections 417, 420, 376 and 294 I.P.C. in Crime No.7 of 2018 and seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3.It is seen that the petitioner was having physical relationship with the de facto complainant. The allegation of the petitioner is that the de facto complainant is having relationship with one Manikandan.

4.The petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.07 of 2018, before the concerned Jurisdictional Magistrate, which shall be non refundable. It is open to the de facto complainant to withdraw the said amount. Merely because the petitioner had made such deposit, it would not mean that the petitioner has admitted his guilt. Likewise, the de facto complainant can withdraw the said amount without prejudice to her rights to prosecute the case. This condition is imposed only for the purpose of putting the petitioner on terms and for giving some relief to the de facto complainant.



5.The learned counsel appearing for the petitioner on instructions further submits that he shall not apply for relaxation or modification of this condition. The petitioner undertakes to deposit the said amount within a period of four weeks from the date of receipt of a copy of this order. This Court went through the contents of the First Information Report. Prima facie, it is seen that the relationship was rather consensual in nature.

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6.Subject to this condition, 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, Lalgudi 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.

7.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/-
03/08/2018

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

TO

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

+1. CC to Mr.T.LENIN KUMAR Advocate SR.No.15009

ORDER
IN
CRL OP(MD) No.13575 of 2018
Date :03/08/2018