



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

Friday, the Twenty Sixth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.17517 of 2018

1 SEENIMOHAMED

2 KAMAR NISHA

3 MOHAMED BAGATHU

4 MUMTAJ

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

STATE REPRESENTED BY.

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION,

THIRUVADANAI,

RAMANATHAPURAM DISTRICT.

(CRIME NO.5 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.V.MANIKANDAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 306 IPC and 5(i) r/w Section 6 of Posco Act and 3(2)(v), 3(2)(va) of SC/ST Act (POA) Amendment Act, 2015 in Crime No.5 of 2018, seek anticipatory bail.

2.The case of the prosecution is that Accused No.3 said to have made sexual intercourse with the defacto complainant's daughter on a false promise of marriage and latter refused to marry her. When the de facto complainant's daughter asked the third petitioner to marry her, he refused to do so. The petitioners are said to have used filthy language and also threatened the victim girl with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) for the respondent police submitted that investigation is pending.



5.The victim girl as well as the petitioner filed affidavit stating that after attaining majority of the victim girl, the petitioner marry her. To that effect, the mother of the victim girl also filed affidavit before this Court and the same has been recorded.

6.Taking note of the facts and circumstances, 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 Judicial Magistrate, Thiruvadanai, Ramanthapuram District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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. 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
26/10/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.V.MANIKANDAN Advocate SR.No.20418
PS/PN/SAR-4:01/11/2018:2P/6C

ORDER
IN
CRL OP(MD) No.17517 of 2018
Date :26/10/2018