



WEB COPY

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

Date : 05/09/2019

PRESENT

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

CRL OP(MD) . No.9591 of 2019

K.Maripandi, ... Petitioner/Accused

Vs

The State Rep.by
The Inspector of Police,,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.4/2019).

... Respondent/Complainant

For Petitioner : M/s.A.Sivasubramanain,
Advocate.

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

For Intervener : Mr.C.Senthil Murugen

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

PRAYER :-

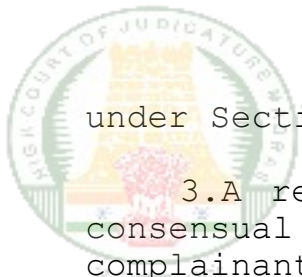
For Anticipatory Bail in crime No. Not known/ of 2019 on the
file of the Respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, learned
Government Advocate(Crl. Side) appearing for the respondent and
learned counsel appearing for intervener.

2.The petitioner is figuring as first accused in Crime No.4 of
2019 registered on the file of the AWPS, Paramkudi, for the offences

<https://hcservices.ecourts.gov.in/hcservices/>



under Sections 417, 323 and 506(i) of IPC.

3.A reading of the complaint would indicate that there was a consensual relationship between the petitioner and the defacto complainant.

4.The learned counsel appearing for the defacto complainant would submit that since the petitioner promised to marry her, she submitted to him.

5.Be that as it may, this is a matter to be decided in the trial. Now the question is whether the petitioner is entitled to anticipatory bail. On the face of it, the consensual nature of relationship between the parties is evident. I am of the view that arresting the petitioner will not serve any purpose. Hence, anticipatory bail is granted. These observations have been made only for the purpose of granting relief of anticipatory bail. This will not have any bearing on the investigation or on the trial.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Mudhukulathur 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.

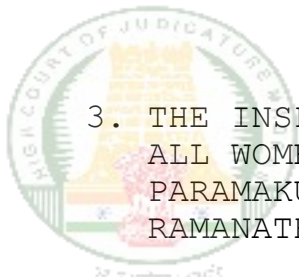
sd/-
05/09/2019

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

TO

1. THE JUDICIAL MAGISTRATE, MUTHUKULATHUR,
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.A.SIVASUBRAMANIAN, Advocate (SR-14869[I] dated
05/09/2019)

ORDER

IN

CRL OP(MD) No.9591 of 2019

Date :05/09/2019

rmi

AE/MMS/SAR-II (12.09.2019) 3P 6C