



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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22676 of 2018

1 MALAR@MALARKODI
2 KALIARAJ
3 PRIYANKA
4 MAHARAJA

... PETITIONERS / ACCUSED 2 to 5

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
LALGUDI,
TRICHY DISTRICT.
(CRIME NO.11/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.LENIN KUMAR, Advocate

For Respondent : MR.S.CHANDRASEKAR,
ADDITIONAL PUBLIC PROSECUTOR.

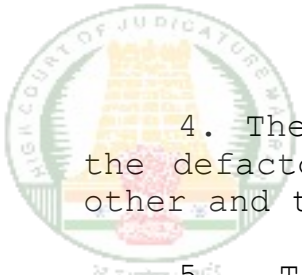
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 417, 420, 376 and 506(i) of IPC in Cr.No.11 of 2018 seek anticipatory bail.

2. The first petitioner herein father, second petitioner is the mother, third petitioner is the sister and the fourth petitioner is the brother of one Suresh. The case of the prosecution is that One Suresh and the defacto complainant loved each other and visited several places on several occasions. By promising to marry the defacto complainant, Suresh had sexual intercourse with her. The petitioners knowing well that the defacto complainant was in Chennai along with Suresh, they went there and abused, assaulted and threatened her with dire consequences and sent her back to Trichy.

3. The learned counsel for the petitioners would submit that the petitioners herein are the in-laws and they have nothing to do with the alleged offence.



4. The learned Government Advocate(Crl.Side) would submit that the defacto complainant is aged 26 years and they both loved each other and the defacto complainant voluntarily went with Suresh

5. Taking into consideration the facts of the case and the submissions by learned counsels and that the petitioners herein are the in-laws, and the fact that the defacto complainant voluntarily went with one Suresh, this Court inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Lalgudi on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the first and fourth petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/01/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THRO' 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.11

ORDER

IN

CRL OP(MD) No.22676 of 2018

Date :02/01/2019

AMS/JC/S-4/04.01.2019/3P/6C