



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2019

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP (MD) . No.10480 of 2019

1.Thangal

2. Selvi

3. Muniyaswamy ... Petitioners/Accused Nos.2 to 4

Vs

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

... Respondent/Complainant

For Petitioners: M/s.A.Sivasubramanian,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

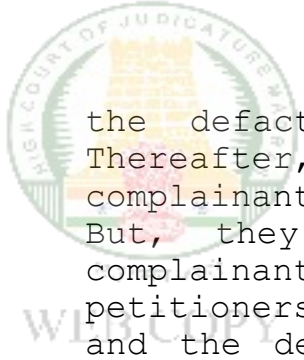
PRAYER :-

For Anticipatory bail in Cr.No.4 of 2019 on the file of respondent police

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 323, 506 (1) and 376 IPC, in Crime No.4 of 2019, seek anticipatory bail.

2. The learned counsel for the petitioner has submitted that as per the FIR, the petitioner gave a false promise that he would marry



the defacto complainant and had sexual intercourse with her. Thereafter, A1 refused to marry her. Subsequently, the defacto complainant requested the petitioners to arrange marriage with A1. But, they demanded 30 sovereigns of gold from the defacto complainant for marrying her with A1. He further submitted that the petitioners have no knowledge about the love affair between the A1 and the defacto complainant. In order to extract money from the petitioners, the defacto complainant lodged a false complaint against the petitioners, and hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) has submitted that the petitioner had illegal relationship with the defacto complainant and criminally intimidated her. Hence, she opposed this petition.

5. The first petitioner is the mother of A1. The petitioners 2 & 3 are sister and brother of A1. The allegation made against them is that they criminally intimidated the defacto complainant and also informed her that unless given 30 sovereigns of gold, they would not allow her to marry with A1. Except the aforesaid allegation, no other allegation is made against them. Hence, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Muthukulathur, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

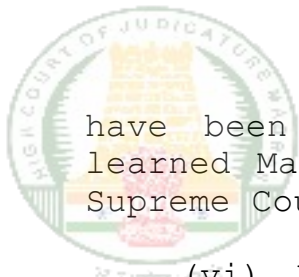
(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Judicial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions

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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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
07/08/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR
- 2 -DO-THROUGH : 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.No.13226

ORDER
IN
CRL OP(MD) No.10480 of 2019
Date :07/08/2019

dss
ES/PN/SAR 3/14.08.2019/3P/6C