



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2019

WEB COPY

PRESENT

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

CRL OP(MD) . No.19230 of 2019

Mathan, ... Petitioner/Accused No.1

Vs

State represented through
The Inspector of Police,
All Women Police Station,
Nanguneri, Tirunelveli District.
(Crime No.12/2019).

... Respondent/Complainant

For Petitioner : M/s. P.R. Prithiviraj,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Cr.No.12 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under section 366(A) of I.P.C., @ into Sections 366(A), 376(2)(n) and 109 of I.P.C. and Sections 5(i) and 6 of Protection of Children from Domestic Violence Act, in Crime No.12 of 2019, on the file of the respondent police, seeks anticipatory bail.

3. The petitioner is a college going student. The petitioner fell in love with the defacto complainant and appears to have had physical relationship with her. The petitioner's counsel on instructions gives an undertaking that the petitioner would marry the victim on her attaining majority if even thereafter the victim



is still willing to marry the petitioner. The petitioner will file an affidavit before the Jurisdictional Magistrate Court at the time of surrender and execution of the sureties. If this undertaking is breached, consequence will follow.

4. Recording the said undertaking, I am 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, Nanguneri, 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.

5. 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/-
20/12/2019

/ TRUE COPY /

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

TO

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

+1 CC to M/s.P.R.PRITHIVIRAJ, Advocate (SR-22406[I] dated 20/12/2019)

ORDER
IN
CRL OP(MD) No.19230 of 2019
Date :20/12/2019

IAS