



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

Date : 30/12/2019

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL OP(MD). No.19633 of 2019

WEB COPY

1. Thangaraj
2. Sankar
3. Backialakshmi

... Petitioners/Accused Nos. 1 to 3

Vs

State Represented by,
The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tenkasi District.
(Crime No.10 of 2019).

... Respondent/Complainant

For Petitioners : Mr.M.Prabu, Advocate.

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

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

PRAYER :-

For Bail in Crime No.10 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 294(b), 417 and 506(ii) of IPC in Crime No.10 of 2019 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant loved with each other and both are decided to arrange the marriage function. In the meanwhile, the first petitioner had sexual intercourse with the defacto complainant. Thereafter, due to misunderstanding between the first petitioner and the defacto complainant, the first petitioner married with one Malathi. When the same was questioned by the defacto complainant, the first petitioner along with other accused persons abused her with filthy language and also threatened her. Hence, the complaint.



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

4.Heard the learned Government Advocate (Crl.side) appearing for the State.

5.Considering the above facts and circumstances of the case and considering the offence committed by the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed as far as the first petitioner is concerned. Insofar as the second and third petitioners are concerned, this Court is inclined to grant anticipatory bail to them with certain conditions.

6.Accordingly, the petitioners 2 and 3 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Sankarankovil, Tenkasi District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners 2 and 3 shall appear before the respondent police daily at 10.00 a.m and 05.00 pm, until further orders. The petitioners 2 and 3 shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners 2 and 3 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 stands dismissed.

sd/-
30/12/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL, TENKASI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SANKARANKOVIL,
TENKASI DISTRICT.

<https://hcservices.tnhs.judiciary.gov.in/hcservices>



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

+1 CC to M/s.M.PRABU, Advocate (SR-22542[I] dated 30/12/2019)

WEB COPY

ORDER

IN

CRL OP(MD) No.19633 of 2019

Date :30/12/2019

MSA/RMK

ES/JC/SAR 4/03.01.2020/3P/6C