



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1553 of 2020

1. S.SORNARAJ
2. A.SUBRAMANAI
3. S.ARUNA

... PETITIONERS/ACCUSED NO.1 TO 3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM, TUTICORIN DISTRICT,
CRIME NO.2/2020.

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.Ka.Raamakrishnan,
Advocate.

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

For Intervenor : Mr.Krishnasamy, Advocate

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

PRAYER :-

for Anticipatory bail in Crime No.2 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 417, 294(b), 506(i) of I.P.C., and Section 4 of TNPHW Act, in Crime No.02 of 2020 on the file of the respondent police, seek

<https://www.courts.madras.gov.in/cse/cases/>



3. The defacto complainant in this case is one Maha Lakshmi.

4. The learned counsel appearing for the intervenor claims that the first petitioner and the complainant were in love with each other for about four years and that, the victim submitted to the carnal desires of the first petitioner believing his assurance of marriage. After the first petitioner got employment in the Tamil Nadu Police Department, the first petitioner began to avoid the victim. Hence, the case on hand came to be registered.

5. The intervenor's counsel would point out that the petitioners had already moved the Sessions Court and that, the same suffered dismissal and that, therefore, this Court may not be pleased to grant relief to the petitioners herein.

6. After carefully considering the rival contentions, on going through the materials on record, it is seen that the relationship between the first petitioner and the victim was rather consensual. Admittedly, both are adults. The only question that arises for my consideration is whether the arrest of the petitioner is warranted. I am clearly of the view that the arrest of the petitioner is not going to advance the cause of investigation.

7. Taking note of the facts and circumstances of the case, I am inclined to grant anticipatory bail to the the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Srivaikuntam, Tuticorin District, and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioners 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/-
30/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
SRIVAİKUNTAM, TUTICORIN DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAİKUNDAM, TUTICORIN DISTRICT.

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

+1 CC to M/s.KA.RAMAKRISHNAN, Advocate (SR-1893[I] dated 30/01/2020
)

ORDER

IN

CRL OP(MD) No.1553 of 2020

Date :30/01/2020

RMI

JM/VR/SAR 4/07.02.2020/3P/6C