



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

Date : 13/05/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5080 of 2020

1. S.CHANDRASEKAR
2. C.ARUMUGA KANI
3. M.ARUNA SUBRABHA
4. V.MANO DHILIP

... PETITIONERS NO.1 TO 4/  
ACCUSED NO.2 TO 5

VS

STATE REP. BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THEPPAKULAM, MADURAI.  
(CRIME NO.11 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.R.S.Balraj,  
Advocate.

For Respondent : Mr.S.Chandarasekar,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 11 of 2020 on the file of  
the 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,  
420 and 376 of IPC, seek anticipatory bail.

2.Heard both sides.

3.This petition for anticipatory bail filed by the relatives of  
A-1 who alleged to have committed rape of the de-facto complainant  
that he will marry her. According to the

<https://hcservices.mca.gov.in/hcservices/>



prosecution, the de-facto complainant and A-1 who were engaged and before marriage they had sexual intercourse. Thereafter, the marriage proposal has broke allegedly due to some misunderstanding.

4.In the said circumstances, the complaint has been given against A-1 and these petitioners who are relatives of A-1 who alleged to have committed 376 of IPC are apprehending arrest. Since the grave offence of 376 of IPC had been committed by A-1 without the knowledge of the other accused persons, this Court is inclined to grant anticipatory bail on certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest by respondent police on executing a own bond for a sum of Rs.25,000/- and further each of the petitioners shall produce two sureties for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each before the learned Additional Mahila Court (JM Level), Madurai on or before 05.06.2020 and on further condition that:

(a)the petitioners and sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioners shall not abscond either during investigation or trial;

(d)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]***; and;

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

sd/-  
13/05/2020

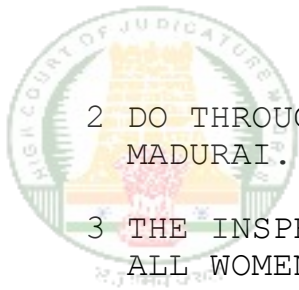
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/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE ADDITIONAL MAHILA COURT  
(JM LEVEL), MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI.

3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, MADURAI.

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

ORDER

IN

CRL OP(MD) No.5080 of 2020

Date :13/05/2020

SJI

JM/PN/SAR 2/14.05.2020/3P/5C