



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.23849 of 2021

IN CRL.M.P.No.13579 of 2021

RAMKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
EAST PULIYAKULAM,
COIMBATORE DISTRICT.
(CRIME NO.21/2021)

[RESPONDENT]

REVATHI

[INTERVENER/DE-FACTO COMPLAINANT]

[ORDERED AS PER ORDER OF THIS COURT DATED 15/12/2021 IN
CRL.MP.13579/2021 IN CRL.O.P.NO.23849/2021]

For Petitioner : M/S R.VIVEKANANTHAN Advocate

For Respondent : MR.S.BALAJI, Govt. Advocate (Crl. Side)

For Intervener : M/S.KINGSLY SOLOMON, J. Advocate

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406, 417, 420 and 506(ii) of I.P.C. in Crime No.21 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have received a sum of Rs.15 Lakhs and 3 sovereigns of gold jewellery from the defacto complainant by making false promise that he will marry her and also had sexual intercourse with her and thereafter cheated her.



3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioner without prejudice to his rights is ready to pay a sum of Rs.12 Lakhs by way of demand draft drawn in favour of the defacto complainant, within a period of two weeks from the date of receipt of a copy of this order.

4.The defacto complainant appeared before this Court today (15.12.2021) along with her counsel and agreed to receive the sum of Rs.12 Lakhs, without prejudice to her rights and contentions before the Trial Court.

5.Heard the submissions made by the learned Government Advocate (Criminal Side).

6.Considering the fact that the petitioner without prejudice to his rights is ready to pay a sum of Rs.12 Lakhs by way of demand draft drawn in favour of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner. It is made clear that mere payment of the amount does not mean that the petitioner has admitted the guilt. It is open to the parties to canvass all the points before the concerned Trial Court.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Coimbatore, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)The petitioner without prejudice to his rights, shall deposit a sum of Rs.12,00,000/- (Rupees Twelve Lakhs Only) by way of demand draft drawn in favour of the defacto complainant, within a period of two weeks from the date of receipt of a copy of this order. The challan/ receipt of such payment shall be produced at the time of executing the bond;

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

(c)the petitioner shall report before the respondent police twice in a week i.e., on every Monday and Friday at 10.30 a.m. till the charge sheet is filed;



(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;

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

-sd/-

15/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL MAHILA COURT
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, EAST PULIYAKULAM,
COIMBATORE DISTRICT.

+1 CC to M/S R.VIVEKANANTHAN Advocate on payment of necessary charges SR.NO.14881

+1 CC to M/S.KINGSLY SOLOMON J. Advocate on payment of necessary charges SR.NO.14895

CRL OP.23849/2021
IN CRL.M.P.No.13579 of 2021

Date :15/12/2021

TA-20/12/2021