



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2021

PRESENT

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

CRL OP(MD) No.2596 of 2020

P.VINEETH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
CRIME NO.8 OF 2020

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.BANUPRASATH,
Advocate

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

For Intervenor : M/s.D.SARANYA, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.8 of 2020 on the file of the respondent police.

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 punishable under sections 376 of I.P.C., in Crime No.8 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The defacto complainant alleges that the petitioner committed the offence against her and that has led to the birth of the child also. The petitioner disputes the paternity of the child. The petitioner is ready to pay maintenance, if the paternity is established. Before this Court, the petitioner through his counsel makes a solemn statement that he is not the father of the child of the intervenor/defacto complainant.



4. I make it clear that if the statement turns out to be false, the petitioner will definitely be arrested and committed to custody. The petitioner is ready to submitted to such a course of action.

5. Recording the said submission given by the petitioner through his counsel, 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 No.IV, Thoothukudi, 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.

6. 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.

7. The respondent police is directed to expedite the holding of the paternity test.

sd/-
20/01/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.

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



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

+1 CC to M/s.P.BANU PRASATH, Advocate (SR-338[I] dated 21/01/2021)

WEB COPY

ORDER

IN

CRL OP(MD) No.2596 of 2020

Date :20/01/2021

PMU

JM/PN/SAR I/25.01.2021/3P/6C