



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

Date : 02/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD) . No.6732 of 2021

WEB COPY

Karthik,

... Petitioner/ Sole Accused

Vs

State Rep.by

The Inspector of Police,

Dindigul All Women Police Station,

Dindigul District

Crime No.04/2021.

... Respondent/Complainant

For Petitioner : M/s. J.Lawrance,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.o4 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376, 294(b) and 506(ii) IPC in Crime No.04 of 2021, seeks anticipatory bail.

2.The allegation against the petitioner is that he had physical relationship with the defacto complainant on the promise of marriage and later , cheated her. Hence, the complaint.

3.The learned counsel for the petitioner submits that the age of the de-facto complainant and the petitioner is about 25 years and both of them loved each other for the past 9 years. He would further submit that the petitioner has married another woman. Hence, a false case has been foisted against this petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police strongly opposed this petition on the ground that the petitioner promised to marry the de-facto complainant and had physical relationship with her. Thereafter, he refused to marry the defacto complainant and cheated her. He further submits that the investigation is yet to be completed.



5.Considering the age of the parties, the nature of allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly this petition is allowed and 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 Magisterial Level, Dindigul, 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 learned Magistrate concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]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]**.

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/09/2021

/ TRUE COPY /

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

SJI



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.

WEB COPY

TO

- 1 THE JUDGE
ADDITIONAL MAHILA COURT MAGISTERIAL LEVEL,
DINDIGUL.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE
DINDIGUL ALL WOMEN POLICE STATION,
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. J.LAWRANCE Advocate SR.No.5941

ORDER

IN

CRL OP(MD) No.6732 of 2021

Date :02/09/2021

RD/SKN /SAR-III(9.09.2021) 3P 6C