



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

Date : 23.08.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10234 of 2021

Dinesh @ Dinesh Rajasekar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Golden Rock, Trichy City.
[Crime No.5 of 2021]

... Respondent/Complainant

For Petitioner : Mr.B.Jameel Arasu, Advocate.

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

For Intervenoer: Mr.Haroon Rasheed, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.5 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 offence punishable under Sections 417, 420, 506(i) and 323 IPC in Crime No.5 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the *defacto* complainant loved each other and on a promise to marry her, he impregnated her and obtained upto Rs.3,00,000/-. Thereafter, he avoided her phone calls and messages. Finally when the *defacto* complainant informed the petitioner about her pregnancy over phone, he threatened her to abort it and if not, he would commit suicide. Hence the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he is in no way connected with the alleged offence, however, he has been falsely implicated in this case.



4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioner is aged about 30 years and the defacto complainant is aged about 31 years and they loved each other.

5.Considering facts and circumstance of the case, the nature of allegations levelled against the petitioner and the age of the parties, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original 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 Judicial Magistrate-I, Trichy, 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 respondent police daily at 10.30 am., 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/-
23/08/2021

/ 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.

WEB COPY

- TO
1. THE JUDICIAL MAGISTRATE NO.I, TRICHY.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GOLDEN ROCK, TRICHY CITY.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.10234 of 2021
Date :23/08/2021

DSK
MS/VR/SAR-2/02.09.2021/3P.5C