



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

Date : 09/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). Nos.10853 and 10855 of 2021

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1.R.Mano Rengaraj, ... Petitioner/Accused (Rank Not Known)
in Crl.O.P.(MD)No.10853 of 2021

1. K.Ravi Raj,
2. N.S.Lakshmi @ Lalitha, ... Petitioners/Accused (Rank Not Known)
in Crl.O.P.(MD)No.10855 of 2021

Vs

State Rep by
The Inspector of Police,
All Women Police Station,
Thoothukudi,
Thoothukudi District.

... Respondent/Complainant
in both petitions

For Petitioners : M/s.Thiruvadi Kumar.A,
(in both petitions) Advocate.

For Respondent : Mr.P.Kottaichamy,
(in both petitions) Government Advocate (Crl.Side)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.28 of 2021 on the file of the
respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
376 and 506(ii) I.P.C in Crime No.28 of 2021 on the file of the
respondent police, seek anticipatory bail.

2.The petitioners in Crl.O.P(MD).No.10855 of 2021 are the
parents of the petitioner in Crl.O.P(MD).No.10853 of 2021.

3.The case of the prosecution is that the defacto complainant
an M.Com.,graduate, was having friendship with the petitioner namely
Mano Rengaraj in Crl.O.P(MD).No.10853 of 2021. On 29.07.2020, the
petitioner had taken the defacto complainant to Coimbatore for
college certificate and had physical relationship in



Orchid apartment at Coimbatore with her by promising to marry her. Thereafter, on 31.07.2021, when the defacto complainant approached the parents of the said Mano Rengaraj and narrated the incident, they have not agreed for the marriage, but had abused and threatened the defacto complainant. Hence, the complaint.

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4.The learned counsel for the petitioners would submit that the defacto complainant is aged about 23 years and according to her, it is purely a consensual relationship. The first petitioner is working in a cell phone retail shop and he has also sought permission of this Court to produce the conversation between the first petitioner and the defacto complainant which would reveal that it is a consensual sexual relationship. He further submitted that the present complaint has been foisted to extract money from the petitioners.

5.The learned Government Advocate (Crl.Side) appearing for the respondent police, on instructions, would submit that based on the complaint given by the defacto complainant, a case has been registered in Crime No.28 of 2021 on the file of the respondent police for the offence under Sections 376 and 506(ii) I.P.C. He would further submit that the investigation is yet to be completed.

6.Taking into consideration the facts and circumstances of the case, the nature of allegation levelled against the petitioners and the age of the victim girl, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, these Criminal Original Petitions are allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Thoothukudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

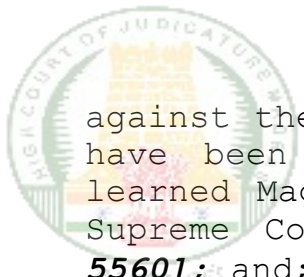
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioners shall report before the respondent police as and when required for interrogation.

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

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

(e)on breach of any of the aforesaid conditions, the learned Judicial 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;

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

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09/08/2021

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

MSA

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,
Tuticorin District.
3. The Inspector of Police,
All Women Police Station,
Thoothukudi, Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.A.THIRUVADI KUMAR, Advocate (SR-5230 & 5231[I] dated 09/08/2021)

ORDER IN
CRL OP(MD) Nos.10853 and 10855 of 2021
Date : 09/08/2021

TR/JC/SAR-IV (23.08.2021) 3P 7C