



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

Date : 08/11/2021

PRESENT

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

CRL OP(MD) . No.17221 of 2021

WEB COPY

1. Muthuramalingam

2. Palthai

3. Chellathai

... Petitioners/Accused No.2, 3 & 4

Vs

State Rep. by The Inspector of Police,  
All Women Police Station,  
Kovilpatti,  
Thoothukudi District.  
Cr.No.11 of 2021.

... Respondent/Complainant

For Petitioners : M/s.Senthil Kumar B,  
Advocate.

For Respondent : Mr.R.Meenkashi Sundaram,  
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory bail in Crime.No. 11 of 2021 on the file of  
the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and  
the learned Additional Public Prosecutor appearing for the  
respondent.

2. The petitioners apprehending arrest at the hands of the  
respondent police for the offences punishable under sections 417,  
376, 506(ii) of I.P.C., and section 5(1) r/w section 6 of POCSO Act,  
in Crime No. 11 of 2021 on the file of the respondent police seek  
anticipatory bail.



3. On a reading of the FIR, it is seen that the primary allegations have been made only against the first accused who is the son of the first and second petitioner herein. The defacto complainant is presently aged about 21 years.

4. The specific contention of the petitioner's counsel is that the first accused and the victim are having love affair for more than four years and that is how, the provisions of POCSO Act have been invoked. In any event, the petitioners are only the parents and sister of the main accused. Arresting them petitioner is not going to serve any purpose. Hence, anticipatory bail is granted.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Kovilpatti, Tuticorin District, and on their executing 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 condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 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.

sd/-  
08/11/2021

/ TRUE COPY /

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

btr/rmi

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.1  
KOVILPATTI, TUTICORIN DISTRICT.

2. DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
TUTICORIN.

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

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

ORDER

IN

CRL OP (MD) No.17221 of 2021

Date : 08/11/2021

RK/TR/SAR-III (11/11/2021) 3P 5C