



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21011 of 2021

Ganapathiyappan

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Thalavaypuram Police Station,
Virudhunagar District.
Cr.No. 98 of 2021.

... Respondent/Complainant

For Petitioner : M/s.BALAJI.A,
Advocate.

For Respondent : Mr.K.SANJAI GANDHI,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.98 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 offences punishable under Sections 376, 417 and 506(i) of IPC, in Crime No.98 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's son on the false promise of marrying the defacto complainant, committed sexual intercourse with her and thereafter, cheated her. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution, he is no way connected with the alleged offence. He would further submit that the accused No.1 has already been granted anticipatory bail by this Court in CRL.O.P. (MD).No.5884 of 2021 on 26.04.2021.

4.Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

5.Considering the facts and circumstances of the case, the fact that the accused No.1 has already been granted anticipatory bail by

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



this Court and that the petitioner is aged about 61 years, this Court is inclined to grant anticipatory bail to the petitioner, with conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Rajapalayam 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 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.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
29/12/2021

/ TRUE COPY /

/ /2022
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, RAJAPALAYM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
THALAVAYPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.21011 of 2021
Date : 29/12/2021

SA/JM/SAR.3/03.01.2022/2P/5C