



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

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PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.4267 of 2022

1 S.SUGAN
2 SATHIYASEELAN
3 SUMITHRA
4 K.SUGANYA
5 KUMARESAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR, THIRUVALLUR DISTRICT.
(CRIME NO.08 OF 2022)

[RESPONDENT]

For Petitioner : M/S.K.ELUMALAI Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Cr1. Side)

For Intervenor : M/S T.MURUGANANTHAM Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 376, 417, 294(b), 506(i) of IPC in Crime No.8 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioner herein facing threat of arrest on the complaint given by one Supriya is before this Court seeking anticipatory bail. As per the FIR, the petitioner herein had love affair with the defacto complainant and developed physical intimacy, now, he refused to marry her after his employment in the Government got confirmed. Earlier, this matter when heard before my Predecessor, attempt has been made to reconcile the difference between the defacto complainant and the petitioner and therefore, they were directed to be present before this Court in person. They also present.



3. On perusal of the records and CD file, this Court finds that already medical test of the defacto complainant is completed and if the defacto complainant wants to bury the difference, it is always open to her. However, for the sake of considering anticipatory bail petition, this Court finds that the petitioner may be granted anticipatory bail to the petitioners on certain conditions.

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

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Thiruvallur on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty 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) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the Investigation Officer daily at 10.30 a.m., until further orders;

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

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

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial 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



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

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-sd/-

03/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR, THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.ELUMALAI Advocate on payment of necessary charges
Sr.3279

CRL OP.4267/2022

Date :03/03/2022

RVR 10/03/2022