



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

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.13938 of 2022

1 ARUN
2 RAYAR
3 REVATHI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SENTHIYA THOPPU,
CUDDALORE DISTRICT.
CRIME NO.6 OF 2022

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

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 offences punishable under Sections 294(b), 376, 417 and 506(ii) of IPC in Crime No.6 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner fell in love with the victim girl aged about 19 years and they had physical relationship. Thereafter, the petitioner refused to marry the victim girl. In fact, the victim girl consumed poison and admitted in the hospital. Thereafter, the victim girl asked their marriage, the petitioners threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays for grant anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the victim girl is aged about 18 years. The petitioner had love affair with the victim girl and had physical relationship. He would further submit that the victim has been discharged from the hospital on 11.05.2022. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking note of the fact that the 1st petitioner had committed a very serious offence as against the victim girl, therefore, this Court is not inclined to grant anticipatory bail to the 1st petitioner and the same is dismissed.

5. Considering the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners with certain conditions.

6. Accordingly, the 2nd and 3rd petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Chidambaram, on condition that the 2nd and 3rd petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 2nd and 3rd petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the 2nd and 3rd petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the 2nd and 3rd petitioners 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 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd and 3rd 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-

21/06/2022

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, CHIDAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SENTHIYA THOPPU,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges
Sr.9679

CRL OP.13938/2022

Date :21/06/2022

RVR 30/06/2022