



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/05/2022
PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8903 of 2022

Aravinthan

... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.104 of 2022).

... Respondent/Complainant

For Petitioner : M/s.SOLAISAMY.M,
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.104 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / accused No.1, apprehending arrest at the hands of the respondent police for the offences punishable under sections 417, 406, 376, 294(b) and 506(i) of I.P.C., in Crime No.104 of 2022, on the file of the respondent police, seeks anticipatory bail.

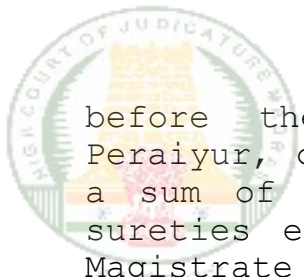
2.Heard both sides.

3.It is stated that the defacto complainant is a major. In connection with love affair, she had consensual physical relationship with the petitioner herein, who has been arrayed as first accused. The complaint is that the petitioner has promised to marry the defacto complainant and thereafter, cheated her.

4.BY taking into account that the complainant is the major and had physical relationship with the first accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order,

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before the learned District Munsif cum Judicial Magistrate, Peraiyur, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-

06/05/2022

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/ /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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAIYUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION, MADURAI DISTRICT.

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

+1 cc to Mr.M.SOLAISAMY, Advocate, SR.No.4545

ORDER IN

CRL OP(MD) No.8903 of 2022

Date :06/05/2022

SA/VR/SAR.2/09.05.2022/2P/6C

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