



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

Date : 05/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.11963 of 2022

WEB COPY

1. Jalal,
S/o.Bakkir Mydeen

2. Satham Usain,
S/o.Bakkir Mydeen

... Petitioners/Accused No.4 & 5

Vs

State Rep by
The Inspector of Police,
Alangulam All Women Police Station,
Alangulam,
Tenkasi District.

(In Crime No.14 of 2022).. ... Respondent/Complainant

For Petitioners : M/s.Venkatesan K,
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.14 of 2022 on the file of the
Respondent Police.

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 147,
417, 376 and 506(i) of IPC, in Crime No.14 of 2022, seeks
anticipatory bail.

2. The case of the prosecution as per the defacto complainant
is that the first accused on the false promise of marriage,
committed sexual intercourse with her and thereafter, cheated her.
Hence, the complaint.

3.The learned counsel appearing for the petitioners would
submit that there was a love affair between the first accused and
the victim girl. Since, it was objected by the both of the family
members, the defacto compliant gave a false complaint against the
petitioners.

<https://www.mhc.tr4.gov.in> The learned Government Advocate(Crl.side) would submit that



the defacto complainant fell in love with the first accused on the false promise of marriage, she was subjected to sexual intercourse and the same was witnessed by the parents. Thereafter, they were informed their relationship to the family members and compromise talk was undertaken. In the mean time, the accused Nos. 2 and 3 were threatened the defacto complainant to receive Rs.10,00,000/- (Rupees Ten Lakhs Only) and disconnect the communication with the first accused.

5.He would further submit that 164 Cr.P.C statement has been recorded from the victim girl, wherein it is stated that on the false promise of marriage she was subjected to sexual intercourse more than 15 times and thereafter the first accused refused to marry her. During the course of compromise talk, the relatives of the first accused namely accused Nos.2, 3 and 4 stated that if the first accused married the defacto complainant, then his mother will commit suicide. Later, they were said that they will arrange the marriage between the first accused and the defacto complainant, after the marriage of first accused's sister and his sister marriage was also performed in the month of March, eventhough the first accused family members have not taken any steps to perform the marriage between the first accused and the defacto complainant.

5.Considering the facts and circumstances of the case, the nature of allegation levelled against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Ambasamudram, 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 the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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/-
05/07/2022

/ TRUE COPY /

/07/2022
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, Ambasamudram.
2. Do Through The Chief Judicial Magistrate,
Tirunelveli.
3. The Inspector of Police,
Alangulam All Women Police Station,
Alangulam, Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.VENKATESAN, Advocate (SR-6642[I] dated 06/07/2022)

ORDER
IN
CRL OP(MD) No.11963 of 2022
Date : 05/07/2022

TR/VR/SAR-II(20.07.2022) 3P 6C