



CRL OP(MD). No.8696 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.8696 of 2023

Devan @ Deva

... Petitioner/Sole Accused

Vs

The State, represented by
The Inspector of Police,
Kumbakonam Taluk Police Station,
Thanjavur District.
(Crime No.208 of 2023).

... Respondent/Complainant

For Petitioner : Mr.T.PALANISAMY,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor.

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

PRAYER :- For Anticipatory Bail in Crime No.208 of 2023 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 alleged offences punishable under Sections 417, 294(b) and 506(i) IPC in Crime No.208 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on promising to marry the defacto



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complainant, the petitioner had sexual intercourse with her and subsequently, cheated her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that in order to harass the petitioner, the defacto complainant has given a false complaint. The petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the defacto complainant was engaged with her brother-in-law, who is the husband of the deceased sister.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that Interim anticipatory bail was granted to the petitioner by this Court and the above said condition has been complied by the petitioner.

5. Let the petitioner appear before the respondent. The respondent may issue summon to the defacto complainant and proceed in accordance with law in the light of the statements be given by the parties, since it has been stated that after engagement with some other person, the present First Information Report has been registered.

6. In view of the above said development, the interim anticipatory bail granted to the petitioner is made absolute with following conditions;

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



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learned Judicial Magistrate No.II, Kumbakonam, on condition that the petitioner shall execute 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 daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KUMBAKONAM TALUK POLICE STATION,
THANJAVUR DISTRICT.



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

+1 CC to M/s.T.PALANISAMY, Advocate (SR-13823[I] dated 19/09/2023)

ORDER IN
CRL OP(MD) No.8696 of 2023
Date :19/09/2023

SA/GB/SAR. /04.10.2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.