



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14089 of 2023

1.Thavedhu
2.Jebamalar
3.Jancy Mary

... Petitioners/ Accused Nos.2 to 4

Vs

1.State represented by
The Inspector of Police,
Reddiapatti Police Station,
Virudhunagar District,
Crime No.76/2023.

... Respondents/Complainant

2.Jebakumar

... 2nd Respondent

(R2 is suo motu impleaded as per order of the
Court dated 05.09.2023 in CRL OP(MD)No.14089
of 2023)

For Petitioners : M/s.P.Edit Brough
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervener : Mr.G.R.Sathish,
Advocate.



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

PRAYER :-

For Anticipatory Bail in Crime No.76/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehend arrest at the hands of the respondent police for the offences under Sections 417, 376, 312, 294(b), 506(i) of IPC, in Crime No.76 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused is a distant relative of the defacto complainant. The defacto complainant and the first accused were in love with each other. On 03.09.2022, the first accused came to the defacto complainant's house and had sexual intercourse with her. Due to which, the defacto complainant conceived and as per the instructions of the first accused, she aborted the pregnancy. The defacto complainant went to the house of the first accused and informed about the incident. At that time, a wordy quarrel arose between them. The accused persons abused her in filthy language, threatened her with dire consequences. Alleging that these petitioners are making objections to perform marriage with the first accused, a complaint has been given and the present case came to be registered.



3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have no objection to perform the marriage of the defacto complainant and the first accused. They are not standing in their way.

4. Learned Additional Public Prosecutor would submit that the petitioners have objected the marriage of the defacto complainant with the first accused who is the petitioner's son, this case has been registered.

5. Considering the facts and circumstances of this case and also the statement given by the petitioners that they will not object to perform the marriage of the defacto complainant and the first accused, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Aruppukottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously. If any failure is noticed, then without reference to the Court, the petitioners must be taken to custody.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
13/09/2023

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ARUPPUKKOTTAI.

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



3 THE INSPECTOR OF POLICE
REDDIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.P.EDIN BROUGH, Advocate (SR-13626[I] dated 14/09/2023)

ORDER
IN
CRL OP(MD) No.14089 of 2023
Date :13/09/2023

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MK/05.10.2023 5P 6C

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