



CRL OP(MD) No.131 of 2024

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.131 of 2024

1 POOVARASAN

2 VENKATESAN

3 JAIBHARASAN

4 RAVANAESWARI

... PETITIONERS/ACCUSED 1 TO 4

Vs

THE SPECIAL SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM,
TRICHY CITY.

CRIME NO.24 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.MOHAN, Senior Counsel
for M/S.BALAKRISHNAN.K Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 24 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court Made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 417 and 420 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.24 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the first accused had love affair with the defacto complainant and also had physical relationship with her. In consequence of the same, she became pregnant and based on the promise given by the petitioner to marry her, she aborted the baby. However, the first accused has refused to marry her. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned counsel appearing for the defacto complainant would submit that based on the promise given by the first accused, the defacto complainant had physical relationship with him and thereafter, he refused to marry her.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police would submit that the investigation is yet completed

6. Considering the facts and circumstances of the case, I am inclined to grant



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anticipatory bail to the petitioners.

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7. Accordingly, the petitioners are granted anticipatory bail and they 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 of receipt of a copy of this order, before the learned Judicial Magistrate cum Additional Mahila Court, Trichy, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the first petitioner shall report before the respondent police daily at 10.30 a.m., until further orders and the petitioners 2 to 4 shall report before the respondent Police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during



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investigation or trial;

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(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-
08/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

1 THE JUDICIAL MAGISTRATE CUM
ADDITIONAL MAHILA JUDGE, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SPECIAL SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM, TRICHY CITY.

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

+1. CC to M/S.BALAKRISHNAN.K Advocate SR.No.679 (F) DT.08/01/2024

ORDER
IN
CRL OP(MD) No.131 of 2024
Date :08/01/2024

SA/JGB/SAR. /22.01.2024/5P/6C

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