



CRL OP(MD)No.7407 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 21.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.7407 of 2024

and

CrI.M.P.(MD)No.5379 of 2024

Sivakumar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu Reb.by
The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
(Crime No.05 of 2024)

... Respondent/Complainant

For Petitioner : Mr.R.Balakrishnan, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate(CrI.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.05 of 2024 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 offence punishable under Sections 417, 420 and 406 IPC in Crime



CRL OP(MD)No.7407 of 2024

No.05 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner, who is 34 years old and the defacto complainant, who is 36 years old, were in relationship and she got pregnant. Thereafter, the petitioner refused to live with her. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is working as Sub Inspector of Police and due to the registration of this case, the petitioner is now under suspension.

4.The defacto complainant, who is present before this Court, has made a request to make her submissions. This Court is not inclined to consider the submissions of the defacto complainant.

5.The learned Government Advocate(Crl.side) for the respondent submits that the petitioner is a married man and the defacto complainant is a divorcee. Both of them were in relationship for a period of one year and the defacto complainant got



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pregnant. Hence, she preferred a complaint. On this complaint, the petitioner was also suspended from the service.

6.Considering the facts and circumstances of the case and also considering that for the misconduct of the petitioner, an action was already initiated by the Department, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this criminal original petition is allowed and 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, before the learned Judicial Magistrate, Karaikudi on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30



CRL OP(MD)No.7407 of 2024

am until further orders. He has to co-operate for the investigation.

iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.

iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

8. Consequently, connected miscellaneous petition is closed.

sd/-
21/06/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



CRL OP(MD)No.7407 of 2024

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.7407 of 2024
Date :21/06/2024

SS/JGB/SAR- /12/07/2024/5P/5C

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