



CRL OP(MD). No.9888 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9888 of 2024

1. Oorkkavalan
2. Veeralakshmi
3. Ramesh

... Petitioners/ Accused No.2 to 4

Vs

The Inspector of Police,  
All Women Police Station - Rameshwaram,  
Ramanathapuram District.  
Crime No.9/2024

... Respondent/Complainant

For Petitioners : M/s.K.Muthuvai Ilayaraja, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.9/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A2 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 294(b), 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No.9 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners 1 & 2 are the parent and the third petitioner is the brother of A1. The complainant is a widow and has a son aged about 16 years. She had illegal relationship with A1 and they lived as husband and



WEB COPY

wife. Thereby, she got pregnant two times and the same was also aborted at the instigation of A1. Thereafter, A1 tried to marry another girl. When the same was questioned by the complainant and her sister, the petitioners along with A1, abused the complainant in filthy language and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that totally 4 accused are involved in this case. The petitioners herein are A2 to A4. A1 was already arrested and still in custody. The petitioners herein are parent and brother of A1. The investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioners herein are only parent and brother of A1 and the main accused A1 was already arrested and still in custody, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of



CRL OP(MD). No.9888 of 2024

WEB COPY

receipt of a copy of this order, before the learned Judicial Magistrate, Rameswaram, 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 learned Magistrate concerned and on further conditions that:

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

(b) the petitioners shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

(e) 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;



**CRL OP(MD). No.9888 of 2024**

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section  
229-A IPC.

sd/-  
05/07/2024

/ TRUE COPY /

/07/2024

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

dss

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESHWARAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION-  
RAMESHWARAM, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHUVAI ILAYARAJA, Advocate ( SR-7509[I] dated  
05/07/2024 )

ORDER IN  
CRL OP(MD) No.9888 of 2024  
Date :05/07/2024

RS/JGB/SAR-(16.07.2024) 4P 6C  
Madurai Bench of Madras High Court is issuing  
certified copies in this format from 17/07/2023