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Crl.O.P.No.2145 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 2145 of 2025

1. Rajagopal
2. Emapuri
3. Ramesh

Petitioner(s)

Vs

The State Rep.By, The Inspector Of Police,
All Women Police Station, Thirukoilur,
Kallakurichi District. (CRIME No. 5 of 2025)

Respondent(s)

For Petitioner(s): VENKATESH

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 69, 296(b) and 131 of BNS in Crime No.5 of 2025, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution as per the defacto complainant is that, she and the first accused, who is the son of the first and second petitioners herein and brother of the third petitioner herein were in love affair and the first accused induced the defacto complainant on false assurance of marrying her, had sexual intercourse with her and thereafter cheated her. It is also further stated that, when the defacto complainant informed the same to the petitioners herein, they had abused and assaulted the defacto complainant. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He also submitted that the petitioners had never committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioners.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioners, stating that the main accused had cheated the defacto complainant, by giving false assurance of marrying her and had sexual intercourse with her. When the defacto complainant brought the same to the knowledge of the petitioners herein, who are the parents and brother of the main accused, they had abused and assaulted her.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners 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 on which the order copy made ready, before **the learned**



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Judicial Magistrate, Thirukoilur on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 first and second petitioners shall report before the respondent police everyday at 10:30 a.m., for a period of one week and thereafter, as and when required for interrogation. The third petitioner/ Ramesh shall report before the respondent police every day at 10:30 a.m., for a period of two weeks and thereafter, every Saturday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

29.01.2025

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To

1. The State Rep.By, The Inspector Of Police,
All Women Police Station,
Thirukoilur,
Kallakurichi District.
(CRIME No. 5 of 2025)



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A.D.JAGADISH CHANDIRA, J.

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