



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

The Hon`ble Mr. Justice M. SATHYANARAYANAN

CRL OP (MD) No.22503 of 2013

1 SUBRAMANIYAN @ MURUGAN
2 SHANMUGAVALLI
3 VELLAISAMY

..PETITIONERS/ACCUSED 1 TO 3

Vs.

STATE REP BY THE INSPECTOR OF POLICE
THUVARANKURICHI POLICE STATION,
TRICHY DISTRICT.
CR.NO.201/2013

..RESPONDENT/COMPLAINANT

For Petitioner : M/S. S. MUTHALRAJ Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

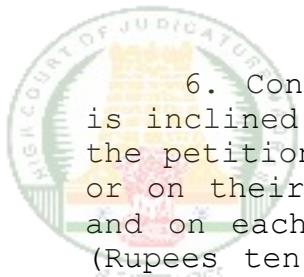
The 1st petitioner, who is the father of one Vadivel, the second petitioner, who is the wife of the first petitioner and the third respondent, who is the son of first petitioner, apprehending arrest at the hands of the respondent police for the alleged commission of offence punishable under Section 365 I.P.C., in Crime No.201 of 2013, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners, who are the parents and brother of Vadivel respectively, are keeping him under illegal detention, though he got married to the daughter of one Selvaraj and Anjali.

3. The learned counsel for the petitioner would submit that Anjali is related to the petitioners and though her daughter is aged below 18 years, attempt was made to conduct her marriage with the son of petitioners 1 and 2 viz., Vadivel and it is a case of child marriage and it was stopped by the petitioners and hence, they are falsely implicated in this case. The learned counsel for the petitioner would further submit that on the earlier occasion, this Court granted anticipatory bail to the petitioners vide order dated 11.11.2013 made in Crl.O.P.(MD) No.19449 of 2013 and on account of difficulty, they could not secure the sureties and therefore the order worked out it self and hence, prayed for anticipatory bail.

4. The learned Government Advocate (Criminal side) on instruction would submit that the boy is yet to be secured and H.C.P.(MD) No.1077 of 2013 filed for his production is pending.

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



6. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Manaparai and on each of them executing a personal 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 11.00 a.m. for a period of two weeks and thereafter as and when required for the purpose of interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

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

sd/-

20/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, MANAPARAI, TRICHY DISTRICT.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, THUVARANKURICHI POLICE STATION,
TRICHY DISTRICT.

+1. CC to M/S. S. MUTHALRAJ Advocate SR.No.64109

ORDER IN

CRL OP(MD) No.22503 of 2013

Date :20/12/2013

PBK 27/12/2013 2P/6C