



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

Thursday, the Ninth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.12767 & 12776 of 2015

V.BOOPALAN

... PETITIONER/ACCUSED NO.1
IN CRL OP(MD)NO.12767/2015

1. VELLIMALAI
2. VADIVEL

...PETITIONERS/ACCUSED NOS. 2 & 3
IN CRL OP(MD)NO.12776/2015

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NATHAM POLICE STATION,DINDIGUL DIST.
(CRIME NO. 156 OF 2015)

... RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioners : M/S.R.THANGAPANDIAN Advocate in both petitions

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
in both petitions

For Intervener : MR.S.SUNDARA PANDIAN, Advocate in MP(MD)No.1/15
IN CRL OP(MD)NO.12767/2015

PETITION FOR BAIL Under Sec. 439 Cr.P.C.
IN CRL OP(MD)NO.12767/2015 &
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
IN CRL OP(MD)NO.12776/2015

COMMON ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.No.12767 of 2015, who was arrested by the respondent police on 27.06.2015 for the alleged offences punishable under Section 366 A IPC in Crime No.156 of 2015 on the file of the respondent police has moved the petition for bail.

The petitioners in Crl.O.P.No.12776 of 2015 apprehending arrest at the hands of respondent police for the alleged offences punishable under Section 366 A IPC in Crime No.156 of 2015 on the file of the respondent police have moved the petition for anticipatory bail.

2.The case of the prosecution is that the accused have kidnapped the daughter of the defacto complainant for the purpose of marriage.

3.The learned counsel for the petitioners submitted that the accused and the defacto complainant are close relatives and the first accused fell in love with the daughter of the defacto complainant and on 07.03.2015, the alleged victim on her own volition joined with the first accused. The learned counsel further submitted that after registration of the case, the marriage was performed and the first accused and the alleged victim are living together as husband and wife.

4.The learned counsel appearing for the intervenor submitted that this is a case of love affair and now the marriage was also solemnized and they are living happily. The learned counsel would further submit that he has no objection for granting bail and anticipatory bail to the accused in this case.



5. The learned Government Advocate (Crl.Side) submitted that the victim is 17 years old and she was kidnapped by the accused and now the victim is secured.

6. This Court has considered the submissions made by the learned counsel on either side and also perused the records.

7. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed to be released on bail on executing a 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 Judicial Magistrate, Natham, Dindigul, and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m and 6.00 p.m. until further orders.

8. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners in Crl.O.P.No.12776 of 2015. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Natham, and on each of them executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction to the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

9. 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/-
09/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NATHAM.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
- 4 THE INSPECTOR OF POLICE, NATHAM POLICE STATION, DINDIGUL DIST.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CCs to M/S.R.THANGAPANDIAN Advocate SR.Nos.37383 & 37384

ORDER
IN
CRL OP(MD) Nos.12767 & 12776 of 2015
Date :09/07/2015