



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

Thursday, the Twenty Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13963 of 2015

MINI

... PETITIONER/ACCUSED NO.3

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
NITHIRA VILAI POLICE,
KANYAKUMARI DISTRICT.
CRIME NO.111/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH Advocate
For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the third accused in Crime No.111 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 366(A) and 506(ii) IPC r/w Section 4 of Prevention of Child from Sexual Offences Act and hence, seeks anticipatory bail.

2. According to the defacto complainant, the accused have kidnapped his daughter on 01.04.2015.

3.The learned counsel for the petitioner submitted that the first accused and the daughter of the defacto complainant have fallen in love with each other and on her own volition, she joined with the first accused. It is further contended that the petitioner is the sister of the first accused and the accused 1 and 2 were already secured by the respondent police and they are in judicial custody.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that on 01.04.2015 the accused 1 and 2 have kidnapped the daughter of the defacto complainant for committing rape and the petitioner/A3 helped them.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Kuzhithurai, and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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6. The petitioner 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/-

23/07/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE,
KUZHITHURAI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL.

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

4 THE INSPECTOR OF POLICE,
NITHIRA VILAI POLICE, KANYAKUMARI DISTRICT.

+1. CC to M/S.S.C.HEROLD SINGH Advocate SR.No.40591

Akm/27.07.15 /2p-6c/

ORDER

IN

CRL OP(MD) No.13963 of 2015

Date :23/07/2015