



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

Wednesday, the Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16999 of 2015

1 VELLAITHAI
2 KAMESWARAN

... PETITIONERS/ ACCUSED NO.2 & 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION,
PERIYAKULAM TALUK,
THENI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.APPADURAI Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

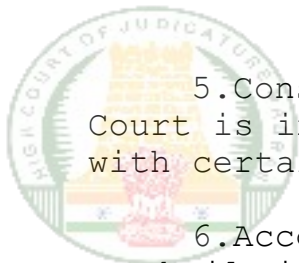
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 & A3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 366 A of I.P.C., and in Crime No.452 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first accused has kidnapped the daughter of the de-facto complainant on 22.08.2015.

3.The learned counsel for the petitioners submitted that the first petitioner is the mother of the first accused and she has been falsely roped in this case. He further submitted that the de-facto complainant has filed H.C.P.No.1279 of 2015 and the same is pending.

4.The learned Government Advocate (Crl.side) would submit that the daughter of the de-facto complainant has kidnaped by the first accused, while the other accused have assisted him. She further submitted that the victim girl is not yet secured. She further submitted that the second petitioner is not arrayed as an accused in Crime No.452 of 2015. Hence, this petition is dismissed in respect of the second petitioner.



5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

6.Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Periyakulam 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 first petitioner shall appear before the respondent police as and when required for interrogation. The first petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The first 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/-
02/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE,
PERIYAKULAM
 - 2.THE CHIEF JUDICIAL MAGISTRATE
THENI
 - 3.THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION,
PERIYAKULAM TALUK, THENI DISTRICT.
- +1. CC to M/S K.APPADURAI Advocate SR.No.51020

ORDER
IN
CRL OP(MD) No.16999 of 2015
Date :02/09/2015

RG.04/09/2015/GSV/PM/SAR-I 2P/6C.