



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

Thursday, the Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17090 of 2015

1. MURUGESAN
2. SANTHI

... PETITIONERS/A1 TO A2

VS

THE STATE REP.BY
THE INSPECTOR OF POLICE,
AMMAIYANAYAKANUR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.331 OF 2015)

... RESPONDENT/COMPLAINANT.

For Petitioner : M/S.K.MANIKANDAN Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

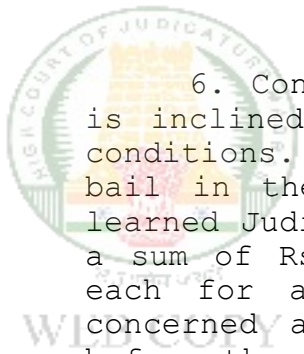
The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 366(A) of I.P.C., in Crime No.331 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant, his daughter was kidnapped by the accused on 14.04.2015

3. The learned counsel for the petitioners submitted that the petitioners' son, who is arrayed as accused No.3, had love affair with the daughter of the de-facto complainant and they left the house on 14.04.2015 and they married on 15.04.2015 and they were living as husband and wife in Coimbatore.

4. It is further submitted that the first petitioner has filed H.C.P.No.1142 of 2015 on 03.08.2015 for production of his son / A3 before this Court, but the de-facto complainant has lodged the complaint only on 27.08.2015 and in the H.C.P., the respondent police secured the accused / A3 and also produced the daughter of the de-facto complainant before this Court (today) on 03.09.2015 and thereafter, the alleged victim was sent with her father and the third petitioner was arrested and now he is detained in Borstal School, Melur. The learned counsel for the petitioners further submitted that the petitioners are innocent and they have been falsely implicated in this case and the daughter of the de-facto complainant is in custody of her father.

5. The learned Government Advocate (Crl.side) submitted that this is a love affair and the victim has been secured and now she is residing with her parents. It is further submitted that both the accused and the de-facto complainant are close relatives.



6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Nilakottai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 as and when required. 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/-
03/09/2015.

/True Copy/

Sub Assistant Registrar.

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI,
2. THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
3. THE INSPECTOR OF POLICE, AMMAIYANAYAKANUR POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/S.K.Manikandan, Advocate, SR.No.52003.

ORDER
IN
CRL OP(MD) No.17090 of 2015
Date :03/09/2015

2P/6C
AM/AAL.MPA/SAR-I/09.09.2015.