



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

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17636 of 2015

KUMAR

... PETITIONER/ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
VADIPATTI POLICE STATION,
MADURAI DISTRICT.
(CR.NO. 411/2015)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S P.GUNASEKARAN ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT 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 accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 323, 366 and 379 (NP) of I.P.C., in Crime No.411 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

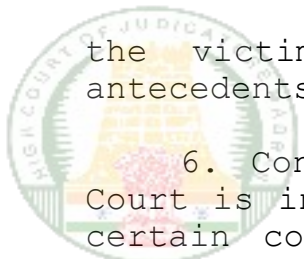
2. According to the de-facto complainant, that her husband Shiju was kidnapped by the accused on 01.09.2015 and he has also taken cash of Rs.5,50,000/-.

3. The learned counsel for the petitioner submitted that the petitioner is a financier in Vadipatti and he owns 10 lorries and one Shiju is a cattle trader and he used to purchase cattle in Tamil Nadu and he was transporting the cattle through the lorries belonging to the petitioner for the past 15 years.

4. It is further submitted that when the lorry owners were observing strike, the petitioner has transported cattle for the said Shiju to the State of Kerala for which the Lorry Owners Association imposed fine of Rs.1 lakh on the petitioner. It is further submitted that in the above facts, when the said Shiju engaged some other lorry which was questioned by the petitioner and therefore, the present complaint was given against him.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned Government Advocate (Crl.side) submitted that



the victim has been secured and the petitioner has no bad antecedents.

6. 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 his arrest or on his appearance before the learned Judicial Magistrate, Vadipatti, Madurai District and on his 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 daily at 10.00 a.m. for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
11/09/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
VADIPATTI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.GUNASEKARAN Advocate SR.No. 53736

ORDER
IN
CRL OP(MD) No.17636 of 2015
Date :11/09/2015