



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

Monday, the Twenty Sixth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.20179 of 2015

1 KAMARAJ
2 NIRMALA

... PETITIONERS/ACCUSED

Vs

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

(IN CRIME NO.452/2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.A.M. RAJA Advocate

For Respondent : MRS.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 A1 and A7 in Crime No.452 of 2015, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 366(A) of IPC @ 366(A), 365 of IPC and 6 and 17 of Pocso Act, 2012 altered into Sections 366 (A), 365 of IPC and 6 and 17 of Pocso Act, 2012 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the daughter of the de facto complainant was kidnapped by the first petitioner / A1 with the help of the accused Nos. 2 to 7.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the co accused were already released on bail in Cr.M.P.No.2295 of 2015, dated 15.09.2015, by the Principal District Court, Theni, and the A5 and A2 were granted anticipatory bail, by this Court in Crl.O.P.(MD).Nos.17707 of 2015 and 16999 of 2015, dated 11.09.2015 and 02.09.2015 respectively.

4. The learned Government Advocate (Crl.side) submitted that the victim girl has already been secured.



5. Considering the fact that the co-accused were already released on bail and that the victim girl was secured, 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 arrest or on their appearance before the learned Judicial Magistrate, Bodinaickanoor, Theni District and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 am for a period of two weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Court 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/-
26/10/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, BODINAICKANOOR, THENI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI
- 3 THE INSPECTOR OF POLICE
DEVATHANAPATTI POLICE STATION,
PERIYAKULAM TALUK, THENI DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.A.M. RAJA Advocate SR.No.62454

ORDER
IN
CRL OP(MD) No.20179 of 2015
Date : 26/10/2015

AA/AAL-MPA/SAR-II/27.10.2015/2p-6c