



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

Tuesday, the Tenth day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.2251 of 2015

WEB COPY

KALA PERUMAL

... PETITIONER/SOLE ACCUSED

Vs

STATE.REP.BY
THE INSPECTOR OF POLICE
ATHUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR.NO.22/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.NATARAJAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

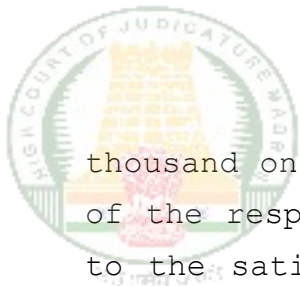
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 366(A) IPC in Crime No.22 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant aged about 17 years is studying Teacher Training Course and she is residing in the hostel. She loved the petitioner and on her own volition the defacto complainant had gone with the petitioner. Both of them have intended to get married and they went to Tricity and they developed cold feet and they have returned. The defacto complainant went back to her friend's house.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the State.

4. Since the girl has been secured and she returned back to her parental home, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchendur on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioner is complying with the order or not.

sd/-
10/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TIRUCHENDUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
- 3 THE INSPECTOR OF POLICE
ATHUR POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.NATARAJAN Advocate SR.No.6196

ORDER

IN

CRL OP(MD) No.2251 of 2015

Date :10/02/2015