



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.35 of 2015

THIRUMALAICHAMY

... PETITIONER/ ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.328/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.MAHARAJA Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.11.2014 for the offences punishable under Sections 366(A) @ 376 of IPC., in Crime No.328 of 2014 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner's son was in love with a 18 year old girl and he eloped with her on 10.11.2014 and based on the complaint lodged by the father of the victim, this case came to be registered. The son of the petitioner, who is A1 was arrested on 13.11.2014. The petitioner being the father was arrested on 23.11.2014.

3. The learned Government Advocate (crl.side) submitted that the victim girl has been secured.

4. Considering the facts and circumstances of the case and also considering the fact that the victim girl has been secured, I am inclined to grant bail to the petitioner subject to certain



5. Accordingly, the petitioner is ordered to be released on bail 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 District Munsif cum Judicial Magistrate, Vedasandur, Dindigul District and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30 p.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]**.

sd/-
07/01/2015

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE, VEDASANDUR, DINDIGUL DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3 THE INSPECTOR OF POLICE, VEDASANDUR POLICE STATION, DINDIGUL DT.
 - 4 THE OFFICER IN-CHARGE, CENTRAL DISTRICT PRISON, DINDIGUL.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.MAHARAJA, Advocate, SR.No.400/7.1.15.

ORDER IN
CRL OP(MD) No.35 of 2015
Date : 07/01/2015