



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

Monday, the First day of June Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9172 of 2015

PALANISELVAM ... PETITIONER/ACCUSED No.5

Vs

STATE REP. BY ITS
THE SUB INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DT. CR. NO.102/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.SELVANAYAGAM Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Cr1. Side)

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

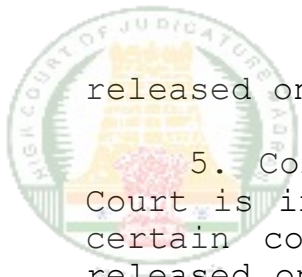
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.5, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 364(A), 294(b), 323, 506(i) of I.P.C., and 109 r/w. 34 of I.P.C., in Crime No.102 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The prosecution case is that on 10.02.2015, when the de-facto complainant was on morning walk, the accused have kidnapped him and later he was rescued.

3. The learned counsel for the petitioner submitted that the complaint was given on presumption and assumption and there is no material against the petitioner in this case. It is further submitted that even according to the prosecution, at the instigation of this petitioner, the accused 1 to 4 had kidnapped the de-facto complainant. The learned counsel for the petitioner further submitted that the wife of the de-facto complainant had received money from the petitioner as well as other persons assuring employment and the accused A1 to 4, who are victims would have kidnapped him. The learned counsel for the petitioner further submitted that the complaint given by the petitioner is registered against the de-facto complainant in Crime No.575 of 2014.

4. The learned Government Advocate (Cr1.side) submitted that the victim is secured and the accused 1 to 4 were arrested and



released on bail and major part of the investigation is over.

5. 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 arrest or on his appearance before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar 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., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
01/06/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE, SRIVILLIPUTHUR
TOWN POLICE STATION, VIRUDHUNAGAR
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SELVANAYAGAM Advocate SR.No.27305

ORDER
IN
CRL OP(MD) No.9172 of 2015
Date :01/06/2015

AA/04.06.2015/2p - 6c/