



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.11995 of 2016

WEB COPY

1 MUNIAPPAN
2 UTHAMI
3 JEEVA
4 KARTHICK

... PETITIONERS/ACCUSED 2 TO 5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KOOMBUR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 90 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.VENKATESH Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 366A of IPC in Crime No.90 of 2016, seek anticipatory bail.

2. The case of the prosecution is that originally the complaint has been given for girl missing and subsequently, on enquiry, they came to know that minor daughter of defacto complainant has been kidnapped by A1 with the help of the son of the defacto complainant and petitioners. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that both the petitioners and the defacto complainant are close relatives and victim is the uncle's daughter of the A1 and both the A1 and victim fell in love and due to that, false complaint has been given against the petitioners for the above said offence.

4. The learned Government Advocate (Crl. Side) submitted that the victim is staying at her aunt's house and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that both the petitioners and the defacto complainant are close relatives and that the victim girl is secured, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the



date of receipt of a copy of this order, before the learned Judicial Magistrate, Vedachandur on condition that each of the petitioners 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 petitioners 1, 3 and 4 shall report before the respondent police daily at 10.00 am until further orders and the 2nd petitioner being a lady shall appear before the respondent Police as and when required for interrogation.

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

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-

19/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VEDACHANDUR.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE, KOOMBUR POLICE STATION, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.VENKATESH Advocate SR.No.37802

ORDER

IN

CRL OP(MD) No.11995 of 2016

Date :19/07/2016