



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

Tuesday, the Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13919 of 2016

STEPHENRAJ

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT.
CRIME NO.516 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PALANI RAJA 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 :-

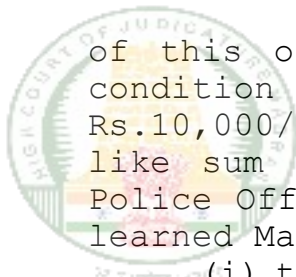
The petitioner, who is arrayed as accused apprehends arrest at the hands of the respondent police for the offences punishable under Women Missing/girl Missing/Boy Missing @ Sections 366 and 366(A) IPC, in Crime No.516 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 29.05.2016, one Kamaladevi, aged 32 years along with her children were missing. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is no way connected with the alleged occurrence.

4.The learned Government Advocate (Criminal side) submitted that the daughter of the de facto complainant has eloped with one Subramanian, who is the brother of the petitioner and complaint was registered as "Woman Missing/Girl Missing/Boy Missing" and subsequently it was altered into Sections 366 and 366(A) IPC and the victims have not been secured till now.

5.Considering the facts and circumstances of the case and also considering the nature of allegation made against the petitioner, 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, within a period of fifteen days from the date of receipt of a copy



of this order, before the learned Judicial Magistrate, Theni, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders.
(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
(iii) the petitioner shall not abscond either during investigation or trial.
(iv) 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]**.

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 petitioner is complying with the conditions or not.

sd/-
09/08/2016

/ TRUE COPY /

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

SMN
TO

- 1 THE JUDICIAL MAGISTRATE, THENI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE INSPECTOR OF POLICE, THENI POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PALANI RAJA Advocate SR.No.43100

GJM/NGM/MP/SAR-III-12.8.16-2P-6C

ORDER
IN
CRL OP(MD) No.13919 of 2016
Date : 09/08/2016