



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

Friday, the Twelfth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14664 of 2016

1 PALANI
2 THANGAMMAL

...PETITIONERS / ACCUSED 2 & 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.
(CR.NO. 283/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.BALAN Advocate

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

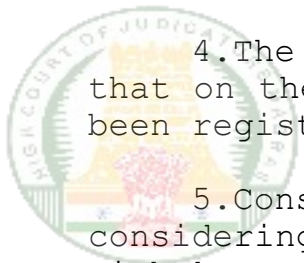
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 and 3 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366, 294(b) and 506(i) IPC, in Crime No.283 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the son of the petitioners and daughter of the de facto complainant were fell in love and due to that the both were eloped on 03.06.2016. When the de facto complainant went to the house of the petitioners and enquired about the whereabouts of her daughter, the petitioners abused her in filthy language and threatened her with dire consequences. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The son of the petitioners and daughter of the de facto complainant loved each other and now the victim has been secured and she is with her parents.



4.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant, a case has been registered and investigation is pending and A.1 is absconding.

5.Considering the facts and circumstances of the case and also considering the fact that the victim has been secured and now she is with her parents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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 No.I, Usilampatti, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the first petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders and the second petitioner shall report before the respondent police as and when required for interrogation.
- (ii)the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii)the petitioners 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 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/-
12/08/2016

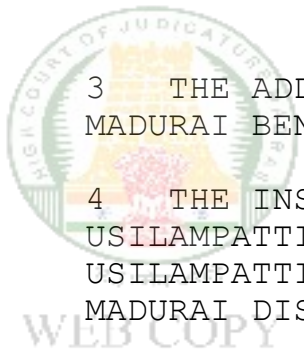
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI,MADURAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.

+1. CC to M/S.P.BALAN Advocate SR.No.44414.

ORDER
IN
CRL OP (MD) No.14664 of 2016
Date :12/08/2016

AM/SS2/SAR-I/19.08.2016/3P/6C