



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

Tuesday, the Thirtieth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15610 of 2016

RAMESH

... PETITIONER/ACCUSED A4

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT.
CRIME NO. 516 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.MU.SARAVANAN 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 :-

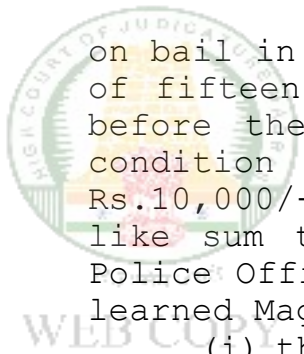
The petitioner, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the offences punishable under Woman Missing Act/Child Missing Act @ Sections 366 and 366(A) IPC, in Crime No.516 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

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. He is only brother-in-law of A.1. A.2 in this case was already granted anticipatory bail by this Court vide order dated 09.08.2016.

4.The learned Government Advocate (Criminal side) submitted that the daughter of the de facto complainant has eloped with one Subramanian, who is the relative 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 and the co-accused was already granted anticipatory bail, 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, Theni District 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/-
30/08/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S.A.MU.SARAVANAN Advocate SR.No.48087

SMN
SMA/CK/SAR-I/02.09.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.15610 of 2016
Date :30/08/2016