



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

Friday, the Twenty First day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.19281 of 2016

MUTHU

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMNAD DISTRICT.
CRIME NO.149 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MUNIYASAMY, Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 366(A) and 506(i) IPC in Crime No.149 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

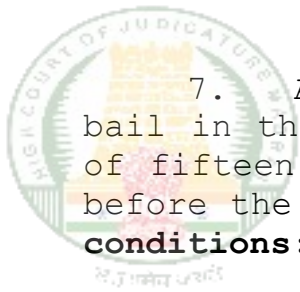
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3. The case of the prosecution is that the petitioner has kidnapped a minor girl and also threatened the defacto complainant, which resulted in registration of the case.

4. Learned counsel for the petitioner would submit that due to love affairs, the girl eloped with the petitioner and the petitioner has not committed any offence.

5. Learned Government Advocate (Crl. Side) submitted that the victim girl has been secured.

6. Considering the facts and circumstances of the case and also taking note of the fact that the victim girl has already been secured, this Court is of the view that custodial interrogation of the petitioner is not necessary. **Therefore, this Court is inclined to grant anticipatory bail to the petitioner.**



7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Rameswaram subject to the following conditions:**

(i) 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 the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

(v) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

21/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESWARAM.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 - 3 THE INSPECTOR OF POLICE, RAMESWARAM TOWN POLICE STATION, RAMNAD DISTRICT .
 - 4 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.MUNIYASAMY, Advocate SR.No.62679.

ORDER IN
CRL OP(MD) No.19281 of 2016
Date :21/10/2016