



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

Tuesday, the Eighth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21170 of 2016

AMUTHA

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THRUVONAM POLICE STATION,
THANJAVUR DISTRICT,
CR NO. 212 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.R.MURUGESAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 366 of I.P.C., in Crime No.212 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 18.10.2016, the petitioner along with her husband said to have abducted the daughter of the de-facto complainant for the purpose of marriage.

3. The learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case and she may be granted anticipatory bail.

4. The learned Government Advocate (Crl.side) submits that the de-facto complainant is the father of the victim girl and the victim girl, aged about 24 years appeared before this Court in Crime No.212 of 2016 and submitted that she has voluntarily gone with A1 and married him knowing that he has already married and the relationship of the first wife and in order to take care of his first wife, she married the first accused.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Taking into consideration of the submissions made by the



learned Government Advocate (Crl.side), I am inclined to grant anticipatory bail to the petitioner. 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, Orathanadu 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police as and when required.

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

[c] the petitioner 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 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].

sd/-

08/11/2016

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

TO

1 THE JUDICIAL MAGISTRATE,
ORATHANADU.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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

4 THE INSPECTOR OF POLICE
THRUVONAM POLICE STATION,
THANJAVUR DISTRICT,

+1. CC to M/S D.R.MURUGESAN Advocate SR.No.66743.

ORDER

IN

CRL OP(MD) No.21170 of 2016

Date :08/11/2016