



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

Tuesday, the Twenty Third day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3161 of 2016

1 JEYAKODI
2 PANJAVARNAM

..PETITIONERS/ACCUSED 2 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT.
CR. NO.31/2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SOLAISAMY Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

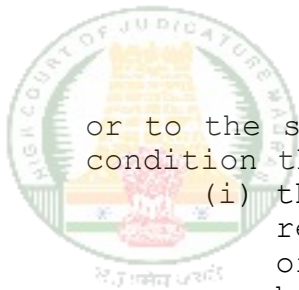
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offence punishable under Section 366 I.P.C., in Crime No.31 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.M.Solaisamy, learned counsel appearing for the petitioners/Accused 2 and 3 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the petitioners' son Ganeshkumar was in love with Sugapriya, daughter of the *de facto* complainant and they got married on 04.12.2013 and the marriage has also been registered in the Office of the Registrar of Marriages at Usilampatti on 05.12.2013. Now, both of them eloped, since the *de facto* complainant had opposed the marriage. On the complaint lodge by the *de facto* complainant, the respondent Police has registered the present case, in Crime No.31 of 2016, under Section 366 I.P.C., against the petitioners as well as their son Ganeshkumar. The *de facto* complainant has also filed H.C.P.(MD) No.213 of 2016, before this Court, for production of his daughter Sugapriya. Admittedly, Ganeshkumar is aged about 24 years and Sugapriya is aged about 21 years.

4. Under such circumstances, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners / Accused 2 and 3. 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 / Accused 2 and 3 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 1st petitioner / 1st Accused shall report before the respondent Police daily at 06.30 p.m., until further orders and the 2nd petitioner / 2nd Accused shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / Accused 2 and 3 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / Accused 2 and 3 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 / Accused 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners / Accused 2 and 3 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]**.

5. 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/-
23/02/2016

/ TRUE COPY /

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

TO

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

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

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

+1. CC to M/S M.SOLAISAMY Advocate SR.No.10608

ORDER IN
CRL OP(MD) No.3161 of 2016
Date :23/02/2016

PBK/JGB-DP/AR-I 26/02/2016 ::2P-6C::