



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

Friday, the Fourth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3920 of 2016

WEB COPY

1 VENKATESH
2 SAGUNTHALA
3 AMULU
4 DURAI

... PETITIONERS/ACCUSED Nos. 1 TO 4

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 55/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.BASKARAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. 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(A) I.P.C., in Crime No.55 of 2016, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.K.Baskaran learned counsel appearing for the petitioners / accused 1 to 4 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that on the complaint lodged by one Lakshmanan, complaining that his daughter Meena has been kidnapped by the first petitioner / first accused, on 01.02.2016, the respondent Police have registered a case in Crime No.55 of 2016, under Section 366(A) I.P.C.

4. Today, when the matter is taken up for hearing, Meena is present before this Court and she has submitted that she was born on 23.02.1998 and she has also produced a copy of the Transfer Certificate issued by the School, in support of her plea. She has also stated that she got married to the first petitioner / first accused on 24.02.2016. She has also stated that she was in love with him and on her own volition she eloped with the first petitioner / first accused.

5. Taking into consideration the above facts, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioners / accused 1 to 4. 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 District Munsif-Judicial Magistrate, Vadipatti, on condition that each of the petitioners / accused 1 to 4 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 / first accused shall report before the respondent Police daily at 06.30 p.m., until further orders and the petitioners 2 to 4 / accused 2 to 4 shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / accused 1 to 4 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 1 to 4 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 1 to 4 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 to 4 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/-
04/03/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, VADIPATTI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
 - 3 THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION, MADURAI DISTRICT.
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S K.BASKARAN Advocate SR.No.12848

ORDER IN
CRL OP(MD) No.3920 of 2016
Date : 04/03/2016