



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

Thursday, the Third day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) Nos.10011 & 10042 of 2017

A.SURESH	... PETITIONER / ACCUSED RANK NOT KNOWN IN CRL OP(MD) No.10011 of 2017
S.DHINESHKUMAR	... PETITIONER / ACCUSED RANK NOT KNOWN IN CRL OP(MD) No.10042 of 2017

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PARTHIBANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT
(IN CRIME NO.203 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.MANIMEGALAI Advocate IN BOTH PETITIONS

For Respondent : MR.A.RAMAR Additional Public Prosecutor
IN BOTH PETITIONS

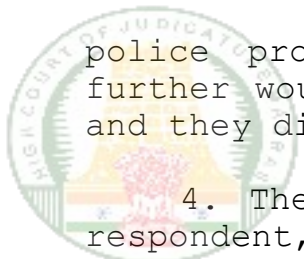
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Section 366 of IPC in Crime No.203 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that A1 and the victim loved each other and due to the said love affairs, the petitioners have abducted the victim girl aged about 21 years and A1 married the victim girl and hence, the father of the victim gave a complaint.

3. The learned counsel appearing for the petitioners states that the victim girl and the first petitioner loved each other and due to the resistance from the parents and relatives of the victim girl, she had voluntarily come out from her home and joined with A1 and now she is living happily. He would further submit that she had written a letter to the Superintendent of Police, Ramanathapuram and the Deputy Superintendent of Police, Paramakudi stating that she was not abducted by anyone, but on her own volition, she came out from her parent's house and married him and the said victim has filed a petition in Crl.O.P(MD).No.9826 of 2017 before this Court seeking



police protection and the same was ordered on 02.08.2017. He further would also submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions would submit that there are totally two accused in this case and petitioner in Crl.O.P.(MD).No.10042 of 2017 is arrayed as A1 and the petitioner in Crl.O.P.(MD).No.10011 of 2017 is arrayed as A2 and both are friends. He would further state that no proof is filed by the petitioner herein regarding the marriage between the petitioner A1 and the victim girl and investigation is still pending.

5. Considering facts and circumstances of the case and also considering the fact that A1 married the victim girl and both are living together, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Paramakudi, Ramanathapuram District and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
03/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MALAIKANI Advocate SR.No.28083

ORDER IN
CRL OP(MD) Nos.10011 & 10042 of 2017
Date :03/08/2017