



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

Wednesday, the Thirtieth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11406 of 2017

SEDHU

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI TALUK,
SIVAGANGAI DISTRICT.
CRIME NO.655/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.BENAZIR BEGUM Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / A2, who was arrested on 08.08.2017 for the offences punishable under Section 366 IPC on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to love affairs, A1 eloped with the de facto complainant's daughter.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. She would further submit that A1 is aged about 19 years and the victim is aged about 20 years and the love affairs between A1 and the victim was not known by both the family members and one month prior to the date of occurrence, when the matter came to the knowledge of the de facto complainant's family members, they controlled the victim and hence, both of them planned for elopement and succeeded in their intention.

4.The learned Additional Public Prosecutor submitted that totally there are 3 accused and the petitioner is arrayed as A2 in this case. He also submitted that A2 and A3 are the parents of A1. He further submitted that A3 is still absconding and the victim was not yet secured and investigation is still pending.



this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate No.I, Sivagangai;

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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/-

30/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 OFFICER IN CHARGE, SUB JAIL, SIVAGANGAI.
- 4 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI TALUK, SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.BENAZIR BEGUM Advocate SR.No.29559

ORDER

IN

CRL OP(MD) No.11406 of 2017

Date :30/08/2017

MKV-CM-MSA-SAR 3/30.8.2017/2P-7C

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