



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

Tuesday, the Tenth day of October Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13684 of 2017

1 M. MURUGESAN

2 M. VIJAYA

... PETITIONERS/ ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
NILAKKOTTAI POLICE STATION,
DINDIGUL DISTRICT.

CRIME NO.NOT KNOWN OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.J.ALAGURAM JOTHI Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

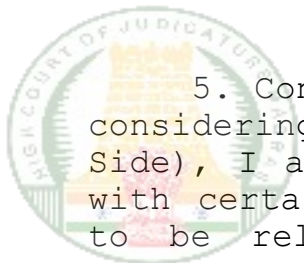
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused in Crime No.Not Known of 2017, apprehend arrest at the hands of the respondent police for the offence punishable under Section 365 of IPC, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 03.10.2017, the son of the petitioners, who is an engineering graduate, had left home to attend an interview at ABT, Maruthi Service centre, Madurai. Thereafter, he did not return home and his whereabouts are not known to them. At that time, the neighbouring house women, namely, Nivedha came to their house and stated that her daughter was also missing and hence she apprehended that their son had kidnapped her daughter and hence, she gave a complaint before the respondent police. Based on the complaint, case has been registered against the petitioners for the above said offences.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He further submitted that they did not know the whereabouts of their son. Even the petitioners are worry about their son and they gave a complaint to the law enforcing agency to trace out him, but till date no action has been taken on the complaint.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the investigation is going on to trace out the missing persons.



5. Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate (Crl. Side), I am 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, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Nilakottai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 petitioners shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks and thereafter as and when required;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
10/10/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
3. THE INSPECTOR OF POLICE,
NILAKKOTTAI POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.ALAGURAM JOTHI Advocate SR.No.13042

ORDER IN
CRL OP(MD) No.13684 of 2017
Date :10/10/2017