



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.14902 of 2017

1 SATHESH KUMAR
2 RAJAN@RAJAKUMAR
3 MANONMANI

... PETITIONER/ACCUSED No.1 to 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO. 478 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.MUTHU SARAVANAN, Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

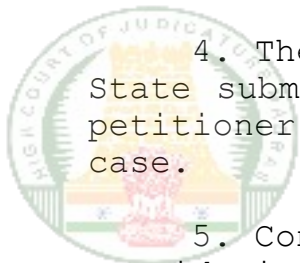
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366 and 506(i) I.P.C., in Crime No.478 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 29.10.2017, the accused persons forcibly taken the victim girl into the Blue Colour Maruthi Car and given pressure to marry the accused no.1. However, the defacto complainant refused him to marry, the accused nos.1 and 3 dropped her in house at 8.30 p.m. on 29.10.2017, against which, the defacto complainant/victim girl has lodged a complaint before the respondent police against accused no.1 and other accused persons.

3. The learned counsel for the petitioners submitted that the first petitioner and the defacto complainant have loved each other and the first petitioner requested the defacto complainant to marry him. However, the defacto complainant refused to marry the accused no.1, immediately on her own willingness, she was dropped in her house by the accused nos.1 and 3. However she lodged a complaint against these petitioners/accused persons.



4. The learned Government Advocate (Crl.side) appearing for the State submitted that on one side love, she was forced by the first petitioner to marry him and investigation almost completed in this case.

5. Considering the facts and circumstances of the case and also considering the submission made by 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kuzhithurai 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 respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;
- (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 abscond either during investigation or trial.
- (v) the petitioners shall not commit any offence while on bail;
- (vi) 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 bail granted stands cancelled automatically.

sd/-
09/11/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO I, KULITHURAI.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.



3 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.C.MUTHU SARAIVANAN Advocate SR.No.34270

ORDER
IN
CRL OP(MD) No.14902 of 2017
Date :09/11/2017

PK/SM/SAR-4/14.11.2017 : 3P/6C