



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

Tuesday, the Third day of January Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.19654 of 2016

C. RAJAMANICKAM

... PETITIONER/ACCUSED NO.I

Vs

THE STATE REP.BY ,
THE SUB INSPECTOR OF POLICE,
VIRALIMALAI POLICE STATION,
TRICHY DISTRICT
CRIME NO.180 OF 2016

... RESPONDENT/COMPLAINANT

P.NAGESWARI

... PETITIONER/INTERVENER

For Petitioner : M/S.K.C.RAMALINGAM Advocate
For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)
For Intervenor : No Appearance

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

ORDER : The Court Made the following order :-

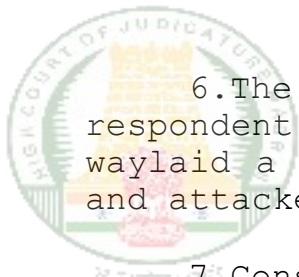
The petitioner, who is arrayed as A-1, in Crime No.180 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 506(ii) and 379 I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.Mediation report is also received stating that mediation could not succeed in this case.

4.The learned counsel for the petitioner states that as per the order of the learned Additional District and Sessions Court, Trichy, the child viz., Loga Vishwa was produced before the learned Judicial Magistrate, Musiri and thereafter, the said child was handed over to the wife of the petitioner herein, who is the defacto complainant in this case. He further states that the defacto complainant had locked the said child in a room and on hearing the same, the petitioner went to the house of his father-in-law and took away his son with the consent of the defacto complainant and his relatives and the defacto complainant has given a false complaint against the petitioner herein.

5.The learned counsel for the petitioner states that the other accused never kidnapped his son Loga Viswa and they have never attacked others as stated by the defacto complainant. Now, the child is under the custody of the petitioner herein.



6.The learned Government Advocate (Crl. Side) appearing for the respondent on instructions submitted that the petitioner herein has waylaid a car in which the defacto complainant has taken her child and attacked the defacto complainant.

7.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Keeranur, and on his 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 petitioner shall appear before the respondent police daily evening at 05.30 p.m., for a period of four weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
03/01/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KEERANUR, TRICHY DISTRICT.
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE SUB INSPECTOR OF POLICE,
VIRALIMALAI POLICE STATION, TRICHY DISTRICT
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.C.RAMALINGAM Advocate SR.No.517
VS
CSL/GSV-PM/SAR-I/06.01.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.19654 of 2016
Date :03/01/2017