



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

Wednesday, the Twelfth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21950 of 2018

1.A. VEERAMANI

2 SANKAR

3 S. PALANI

4 P. SANTHURU

5 B. SANTHI

6 MURUGANANDAM @ SONGARI

... PETITIONERS / ACCUSED 1 TO 6

Vs

STATE THROUGH

THE INSPECTOR OF POLICE

SENGIPATTI POLICE STATION,

BUDALUR TALUK,

THANJAVUR DISTRICT.

(IN CRIME NO. 172 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.R.MAHESWARAN Advocate

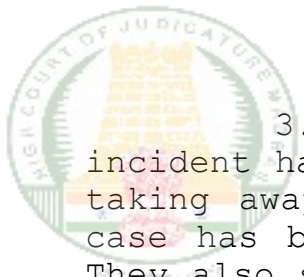
For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 452, 379 and 506(ii) I.P.C r/w Section 3(1) of TNPPDL Act, in Crime No.172 of 2018, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner's brother's daughter and brother's son of the defacto complainant fell in love with each other and they eloped against the wishes of their parents on 08.11.2018. The petitioners searched for the first petitioner's brother's daughter in various places. Thereafter, they came to know about the involvement of the defacto complainant in this incident and they trespassed into the defacto complainant's house and damaged some household articles of the defacto complainant.



3. The contention of the petitioners is that no such incident had taken place and the petitioners only questioned about taking away of their daughter from the family, for which a false case has been given, after a delay of 25 days i.e on 03.12.2018. They also submit that they had given a complaint with regard to the elopement of the first petitioner's brother's daughter against the defacto complainant's family, for which C.S.R has been assigned, but till now, no case has been registered.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that both the boy and girl are major and they are living separately.

5.Considering the same, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions:-

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, No.III, Thanjavur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent Police as and when required.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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 petitioners released on bail by the learned 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]**.

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/12/2018

/ TRUE COPY /



TO

1. THE JUCIAL MAGISTRATE NO.II,
THANJAVUR.

2. DO THRO' THE CHIEF JUDICAIL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3. THE INSPECTOR OF POLICE,
SENGIPATTI POLICE STATION,
BUDALUR TALUK,
THANJAVUR DISTRICT.

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

+1. CC to MR.R.MAHESWARAN Advocate SR.No.23208

ORDER

IN

CRL OP(MD) No.21950 of 2018

Date :12/12/2018

AE/PN-AC/SAR1/14.12.2018/3P/6C