



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

Tuesday, the Thirteenth day of November Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20102 of 2018

1.GOWTHAMAN
2.KAVIYARASAN

... PETITIONERS / ACCUSED NO.1 & 2

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.681 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.K.SIVABALAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI, Govt.Advocate(Crl.Side)

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

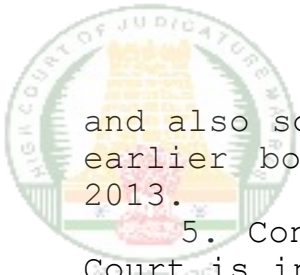
ORDER : The Court Made the following order :-

The petitioners / A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 147, 323 & 366 of IPC., in Crime No.681 of 2018, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband had informed his wife that while he was riding his two wheeler, the petitioners herein had intercepted him and taken in a car and demanded a sum of Rs.3,50,000/-, as ransom. .

3. The learned counsel appearing for the petitioners would submit that the petitioners are persons, who have given money for securing job in foreign Country to one Saravanan / defacto complainant's husband. The petitioner has filed the copy of Account Statements, Employment Contract Letter and Jet Airways ticket and visa copy of Bangkok, which turned out to be forged one. He further submit that the said Saravanan himself has set up his wife, who is the defacto complainant's husband, as though the petitioner's husband was kidnapped by the petitioners and demanded a sum of Rs.3,50,000/-.

4. The learned Government Advocate (crl.side) submits that the husband of the defacto complainant is running a travel agency



and also solicits foreign employment. He also submitted that he had earlier booked for the case of Job racketing in Crime No.428 of 2013.

5. Considering the facts and circumstances of the case, 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, Melur, Madurai District, on condition that the petitioners shall execute each 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;

[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, daily at 10.00 a.m., for a period of one week and thereafter, as and when required, for interrogation

[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 petitioners 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/-

13/11/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

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

3.THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.



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

+1. CC to Mr.K.SIVABALAN Advocate SR.No.21453.

ORDER

IN

CRL OP (MD) No.20102 of 2018

Date :13/11/2018

RAM/RR/SAR 1/15.11.2018/3P/6C