



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

Date : 11/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7926 of 2019

1. Kannan,

2. Selvi,

... Petitioners/Accused Nos.2 & 3

Vs

State Rep.by
The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
(Crime No.115 of 2019).

... Respondent/Complainant

For Petitioners : M/s.S.Sathya Chidambaram,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

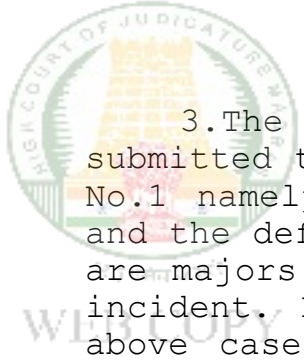
PETITION FOR ANTICIPATORY BAIL Under Sec.438 Cr.P.C.

PRAYER :-

For anticipatory bail in cr.no.115 of 2019 on the file of the
respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections (Girl
Missing) 364 of IPC in Crime No. 115 of 2019, seek anticipatory
bail.



3. The learned counsel appearing for the petitioners has submitted that the petitioners herein are the parents of the accused No.1 namely Arunkumar. He further submitted that the accused No.1 and the defacto complainant's daughter fell in love and both of them are majors. The petitioners are in no way connected with the said incident. But the petitioners have been falsely implicated in the above case and therefore, he requests for grant of anticipatory bail to the petitioners.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the son of the petitioners has eloped with the daughter of the defacto complainant and so far the victim is not secured and therefore she strongly opposed this petition. However, she fairly conceded that the victim is a major.

5. Considering the aforesaid submission and also the fact that the victim is a major and the first accused and the victim girl fell in love and eloped, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vedsanthur, Dindigul District on condition that the petitioner shall execute 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 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) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].



(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

sd/-
11/06/2019

/ TRUE COPY /

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

TO

- 1.The Judicial Magistrate, Vedsanthur,
Dindigul District
- 2.Do-Through The Chief Judicial Magistrate,
Dindugal District.
- 3.The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to MR.S.SATHYA CHIDAMBARAM, Advocate (SR-9407[I] dated
11/06/2019)

ORDER
IN
CRL OP(MD) No.7926 of 2019
Date :11/06/2019

DSS
AE/JC/SAR-IV (18.06.2019) 3P 6C