



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

Monday, the Fourth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.21483 of 2018

RANJITH RAJAN @ RANJITH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
SHENGOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.551/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.VENKATESH Advocate

For Respondent : MR.A.ROBINSON,
Government Advocate (Crl. Side)

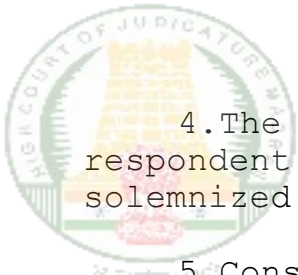
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 366(A) I.P.C. in Cr.No.551 of 2018 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the defacto complainant's daughter, namely, Anitha is aged about 17 years and is studying B.A.(Tamil) 2nd year at Sri Parasakthi College for Women, Courtallam. The petitioner has acquaintance with the victim girl for the past one year. On 18.11.2018, the defacto complainant and his wife went for a funeral function. The victim girl was alone at home. Taking advantage of the same, the victim girl has accompanied with the petitioner in his bike, without knowledge of the natural guardian, thereby, her father has lodged this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner and the daughter of the defacto complainant loved each other and they went to the Sub-Registrar Office, Surandai and got married. Their marriage was registered on 23.11.2018 at Surandai Sub-Registrar Office.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that after marriage, the marriage was solemnized in the Surandai Sub-Registrar Office on 23.11.2018.

5.Considering the facts and circumstances of the case and also their marriage was solemnized at Surandai Sub-Registrar Office on 23.11.2018, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Shengottai, on condition that the petitioner shall execute 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police as and when required for interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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]**; and;

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

sd/-
04/02/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
SHENGOTTAI

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
SHENGOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to MR.D.VENKATESH Advocate SR.No.2348

ORDER

IN

CRL OP (MD) No.21483 of 2018

Date :04/02/2019

AE/PN/SAR2/08.02.2019/3P/6C