



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

Date : 22/08/2019

PRESENT

The Hon'ble Mr. Justice P. RAJAMANICKAM

WEB COPY

CRL OP (MD) . No.11730 of 2019

1. Thangapandi @ Manikandan,
2. Thangarasu ... Petitioners/Accused Rank not known

Vs

State rep.by
The Inspector of Police,
Karur Town Police Station,
Karur,
in Crime No.503 of 2019. ... Respondent/Complainant

For Petitioners : M/s.A.Joel Paul Antony,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.503 of 2019 on the file of the Respondent Police.

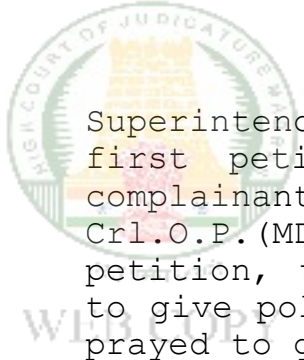
ORDER : The Court Made the following order :-

The Memo dated 22.08.2019 filed by the petitioners is hereby recorded and the Registry shall carry out the necessary amendment.

2.The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 2 of Women Missing Non Act, in crime No.503 of 2019, seek anticipatory bail.

3. Heard both sides.

4.The learned counsel appearing for the petitioners has submitted that based on the complaint given by the father of the victim girl, the respondent has registered a case in Crime No.503 of 2019 under the caption of women missing. He further submitted that the first petitioner is the son of the second petitioner. He further submitted that the first petitioner and the victim girl is aged about 21 years loved each other and eloped. He further submitted that the victim girl already sent a petition to the



Superintendent of Police stating that she voluntarily went with the first petitioner. He further submitted that since the defacto complainant is giving life threat, the victim girl has filed a Crl.O.P.(MD).No.11780 of 2019 seeking police protection and in that petition, this Court has passed the order today (i.e., 22.08.2019) to give police protection to the said victim girl and therefore, he prayed to grant anticipatory bail to the petitioners.

5.The learned Government Advocate(Crl. Side) has fairly conceded that based on the complaint given by the victim girl's father, a case has been registered under the caption for women missing and subsequently, the victim girl who is aged about 21 years has sent a petition to the Superintendent of Police, Tiruchirappalli stating that she voluntarily went along with the first petitioner and also made a request to give police protection and under the said circumstances, she requested this Court to pass appropriate orders.

6.Considering the fact that the victim girl is a major and she is aged about 21 years and she already sent a petition to the Superintendent of Police stating that she loved the first petitioner and she voluntarily went with him and also the fact that she filed Crl.O.P.(MD).No.11780 of 2019 seeking police protection and this court also passed order to give police protection to her, this Court is inclined to grant anticipatory bail to the petitioners by imposing certain conditions.

7. 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, Karur, on condition that the petitioners 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.

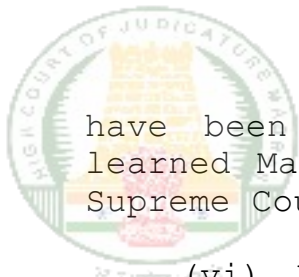
(ii) the petitioners shall report before the respondent police as and when required for interrogation.

(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

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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.

sd/-
22/08/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
KARUR.
- 2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate
(SR-13907[I] dated 22/08/2019)

ORDER
IN
CRL OP(MD) No.11730 of 2019
Date :22/08/2019

VSG
ES/PN/SAR 1/04.09.2019/3P/6C