

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10390 of 2020

Kalaivanan

... Petitioner

Vs.

State rep. by its
The Inspector of Police,
AWPS Mannargudi,
Tiruvarur District.
Crime No.7 of 2019

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to grant anticipatory bail to the petitioner in the event of his arrest by the respondent police in Crime No.7 of 2019 pending investigation on the file of the respondent police.

For Petitioner : Mr.J.N.Naresh Kumar

For Respondent : Mr.Shanmugarajeswaran
Government Advocate (Crl.Side)

O R D E R

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner was already granted interim protection by this Court by order dated 16.07.2020 directing the petitioner to marry the victim girl and to register the marriage before the concerned authority. He would further submit that pursuant to the said order, the petitioner has married the victim girl and has also registered the marriage at the Sub Registrar's Office, Neelamangalam on 28.07.2020. He would submit that copy of the registration certificate is also enclosed.

2. In view of the same, the interim anticipatory bail already granted by this Court on 16.07.2020 is made absolute, on following conditions:

3. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest by the respondent police or on his appearance, within a period of fifteen days from the date of lifting of lockdown or the commencement of Court's normal functioning whichever is earlier, before the Judicial Magistrate-I, Mannarkudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 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 petitioner 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 absconds, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, this Criminal Original Petition is ordered.

+sd/-
31/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

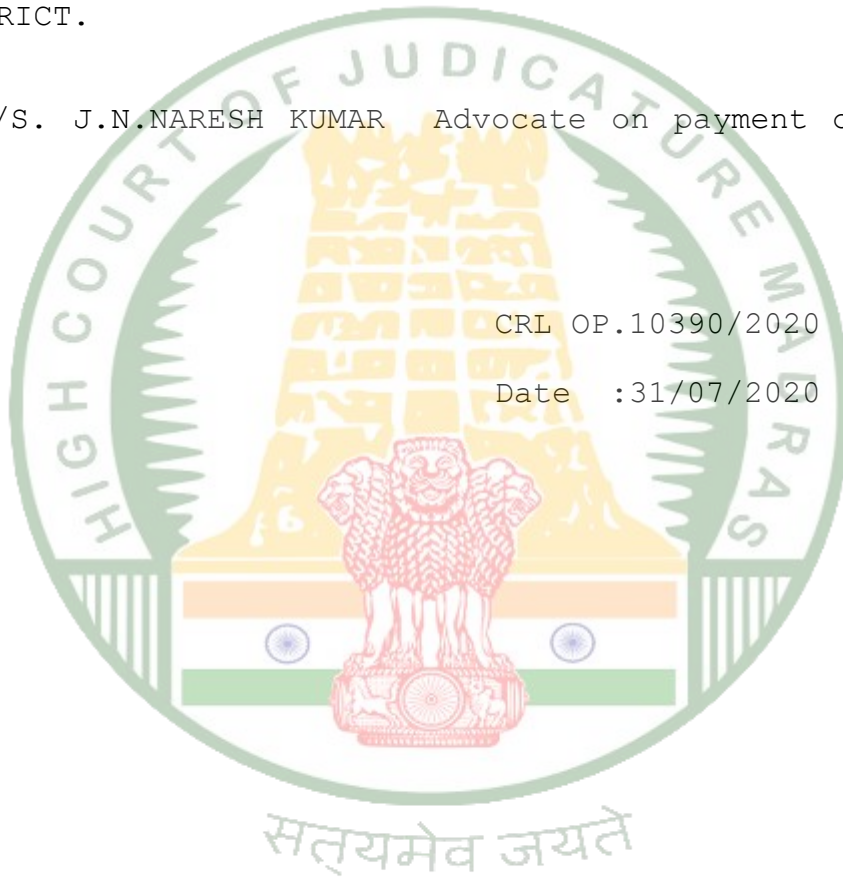
3 THE JUDICIAL MAGISTRATE,
NO.I, MANNARKUDI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
AWPS MANNARGUDI
TIRUVARUR DISTRICT.

CC to M/S. J.N.NARESH KUMAR Advocate on payment of necessary
charges

cs 02/09/2020



CRL OP.10390/2020

Date :31/07/2020

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