



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2021

CORAM

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P.No.10714 of 2021

1.Anandan

2.Gnanasekaran

... Petitioners

Versus

State represented by
The Inspector of Police,
Natrampalli Police Station,
Vellore District.
Thiruppathur District.
(Crime No.217 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of apprehending arrest in the Crime No.217 of 2021 on the file of the respondent.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 366(A) IPC in Cr.No.217 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the mother of the victim girl. She lodged a complaint before the respondent Police by stating that her daughter was found missing from 03.06.2021 and suspected that the petitioner herein would be kidnapped her daughter. Therefore, the petitioners apprehending arrest at the hands of the respondent Police, filed this petition seeking anticipatory bail.

3.The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case and he further submits that the 1st petitioner and the daughter of the defacto complainant had love affair and the victim girl on her volition only left her home and came along with the 1st petitioner. Therefore, he has not committed any offence as alleged by the prosecution. Hence prays for grant of bail.



4. The learned Government Advocate (Crl.Side) submitted that there was a love affair between the 1st petitioner and the daughter of defacto complainant and there is no previous case against the petitioner and the investigation is pending.

5. Considering the nature of case that the daughter of the defacto complainant went along with the 1st petitioner on her own volition and there is no serious allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.I, Thiruppathur, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

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

(c)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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]; and;



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

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-sd/-
22/06/2021

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

1 THE JUDICIAL MAGISTRATE NO.I,
THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NATRAMPALLI POLICE STATION,
VELLORE DISTRICT.
(THIRUPPATHUR DISTRICT).

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges

CRL OP.10714/2021

Date :22/06/2021

MK:15/07/2021