



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.11966 of 2021

1. M.Jeganathan
2. Palaniyammal
3. Muthulakshmi

...Petitioners/Accused Nos.2 to 4

Versus

State rep by the
Inspector of Police,
All Women Police Station,
Krishnagiri, Krishnagiri District.
(Crime No.8 of 2021)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to grant Anticipatory Bail to the petitioners in the event of their arrest in Crime No. 8 of 2021 pending investigation on the file of the respondent.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)

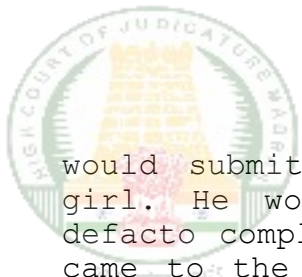
ORDER

(The Case has been heard through Video Conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 363, 366 r/w. 109 of I.P.C altered into 363, 366 of IPC and Section 7 r/w.8 of protection of Children from Sexual Offence Act, in Crime No.8 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant one Sasikumar is that his daughter who was studying 11th standard, was found missing on 26.06.2021. On the complainant given by the defacto complainant a case was registered for "Girl Missing" and during investigation it came to light that the 2nd petitioner's son namely Surya had kidnapped the victim girl for the purpose of getting marriage.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He



would submit that the petitioners are only in-laws of the victim girl. He would further submit that the 2nd petitioner's son and defacto complainant's daughter were in love with each other. When it came to the knowledge of the defacto complainant's family, they arranged marriage of the victim girl with some other person. Therefore, the victim girl had voluntarily left her home and joined to the 2nd petitioner's son in order to marry him. Hence, he seek for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the 2nd petitioner's son kidnapped the daughter of the de facto complainant, who is aged about 16 years for the purpose of getting marriage. He would submit that the statement under Section 164 Cr.P.C has been recorded from the victim girl.

5.Taking into consideration of the facts and circumstances, considering the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 Fast Track Mahila Court, Krishnagiri. on condition that the petitioners shall execute a separate 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) if the petitioners fail 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 petitioners and 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 1st petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation. As regards the petitioners 2 and 3 shall report before the respondent police as and when required for interrogation.

(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.

-sd/-

12/07/2021

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 FAST TRACK MAHILA COURT,
KRISHNAGIRI

2 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KRISHNAGIRI, KRISHNAGIRI DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges
Sr.7293

CRL OP.11966/2021

Date :12/07/2021

RVR 23/07/2021