



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2021

WEB COPY

PRESENT

The Hon`ble **Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD) . No.3007 of 2021

Yogaraj

... Petitioner/Accused
(Rank Not Known)

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Jeeyapuram, Trichy District.
Crime No. 13 of 2020.

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.13 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused Rank not Known, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 366(A) and 324 of IPC and Section 5(1) r/w 6 of POCSO Act, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused person kidnapped the defacto complainant's daughter. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is the friend of one Suresh, who had love affairs with the victim girl, who was minor. The victim girl and Suresh had eloped. The petitioner being the friend of A1, a false case has been foisted against him.

4. The learned Government Advocate(Crl.Side) would submit that there was no serious allegation against the petitioner.



5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Mahila Court, Trichy 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 to 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 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 petitioners 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]***; and;

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

sd/-
11/03/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1. THE JUDGE,
MAHILA COURT, TRICHY.

2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
JEEYAPURAM, TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.3007 of 2021

Date : 11/03/2021

rmk

AE/JC/SAR-IV (18/03/2021) 3P / 4C