



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

Date : 03.06.2021

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.6896 of 2021

Sooriya

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Adirampattinam Police Station,
Adirampattinam,
Thanjavur District.
Crime No.167 of 2021.

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, Advocate
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.167 of 2021 on the file of the Respondent Police.

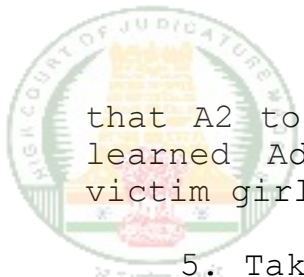
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest by the respondent police for an offence under Sections 147, 366 and 461 of IPC has filed this anticipatory bail petition.

2. The case of the prosecution is that the victim girl who is aged about 23 years was forcibly kidnapped and a Thali Chain was tied by the petitioner. There are totally nine accused persons in this case and the petitioner has been arrayed as A1.

3. The learned counsel for the petitioner submitted that there was a love affair between the petitioner and the victim girl and there was opposition for the marriage from the victim girl's parents. The learned counsel further submitted that the victim girl is a major and there was no compulsion and the entire case has been foisted against the accused persons.

4. The learned Additional Public Prosecutor, on instructions, submitted that there are totally nine accused persons in this case and the petitioner has been arrayed as A1. It was further submitted



that A2 to A7 were arrested and remanded to judicial custody. The learned Additional Public Prosecutor further submitted that the victim girl has been secured and she is now living with her parents.

5. Taking into consideration the facts and circumstances of the case and also the fact that there was a love affair between the petitioner and the victim girl and the victim girl has already been secured and handed over to her parents, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing personal bond for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties for a likesum to the satisfaction of the respondent police and on further condition that the petitioner shall appear before the learned Judicial Magistrate, Pattukottai and execute fresh personal bond for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b]the petitioner shall report before the respondent police every Friday at 10.30 am, for a period of four weeks and thereafter, as and when required for interrogation;

[c]the petitioner shall not abscond either during investigation or trial;

[d]the petitioner shall not tamper with evidence or witness 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]**; and

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/06/2021

/ 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 concerned.

WEB COPY

- TO
1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE INSPECTOR OF POLICE,
ADIRAMPATTINAM POLICE STATION,
ADIRAMPATTINAM, THANJAVUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6896 of 2021
Date :03/06/2021

MBI
MS/MNR/SAR-2/08.06.2021/3P.5C