



WEB COPY

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

Date : 01/03/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.12881 of 2019

Siluvai Kitheriyan Prabu @ Prabha @ Prabu

... Petitioner/5th Accused

Vs

The State rep.by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.88/2019).

... Respondent/Complainant

For Petitioner : Mr. D. Venkatesh,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.88 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 366-A r/w.34 of I.P.C. in Crime No.88 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The principal accused is said to have kidnapped a minor girl. Hence, Crime No.88 of 2019 came to be registered on the file of the



respondent for the aforesaid offences. The father of the minor girl had filed Habeas Corpus petition and till date, no progress could be achieved. The victim girl could not be secured.

4. The petitioner states that his information is that the victim girl had attained majority and that she is living with the prime accused as husband and wife. The case against the petitioner is one of abetment. The petitioner is aged 19 years. He is a permanent resident of Koothankuli. Therefore, arresting the petitioner is not going to serve any purpose.

5. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Valliyoor, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
01/03/2021

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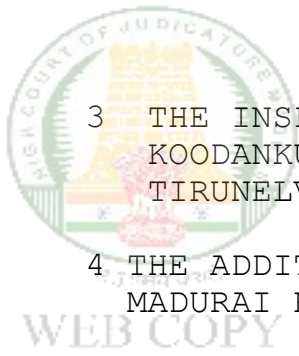
/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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.

TO

1.THE JUDICIAL MAGISTRATE,
VALLIYOOR

2.THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT



3 THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12881 of 2019

Date :01/03/2021

PMU

AE/SMA/SAR-I (05/03/2021) 3P / 5C