



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

Dated: 17/12/2021

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.16724 of 2021

WEB COPY

1.Balakumar
2.Manojkumar
3.Mohan

: Petitioners/Rank not known

Vs.

State Rep.by
The Inspector of Police,
Sessions Court Police Station,
Trichy city,
Trichy District.
(Crime No.474 of 2021)

: Respondent/Complainant

For Petitioners : Mr.K.Prakash

For Respondent : Mr.S.Manikandan

Government Advocate (Crl. side)

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

PRAYER :-

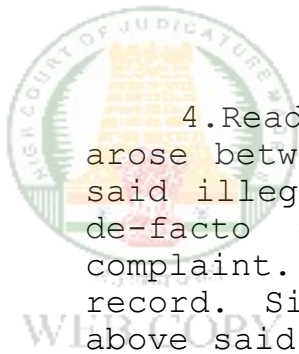
For Anticipatory Bail in Crime No.474 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 448, 294(b), 323, 342, 365, 384 and 506(i) in Crime No.474 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The petitioner is facing the charges for the offences under Sections 147, 448, 294(b), 323, 342, 365, 384 and 506(ii)IPC. The co-accused namely A2 and A3 were arrested and later, released on bail.

3.The specific allegation against this petitioner is that he along with the other co-accused persons kidnapped the de-facto complainant namely Vimalathitha, in view of the relationship that existed between himself and Nivethitha, who is the wife of A1, prior to her marriage. When this was brought to the notice of A1, this occurrence said to have been committed by A1-Sasikumar along with the other co-accused.



4. Reading of the entire CD file shows that some sort of trouble arose between A1 and the de-facto complainant herein for the above said illegal relationship. At one point of time, the wife of the de-facto complainant namely Geetha has also given a similar complaint. But what happened to that complaint is not clear on record. Similarly there is some sort of arrangement between the above said person and A1 in respect of the matrimonial issue, which is settled on 18/10/2021. The first occurrence said to have been taken place on 17/10/2021. But against that occurrence, no complaint has been given.

5. According to the de-facto complainant, there was a continuous trouble at the hands of the accused persons. Only after a long gap, it appears that the present complaint came to be given by the de-facto complainant. The present complaint has been given on 24/10/2021, whereas the date of occurrence taken place on 17/10/2021.

6. As mentioned earlier, on 17/10/2021, there was some sort of compromise between A1 and his wife. On the same day of the above said compromise, it appears that the present occurrence said to have taken place. So the veracity of the allegation can only be found out during the course of investigation. In this case, some of the co-accused have been arrested and remanded to judicial custody and later, released on bail.

7. In the view of the above, I am inclined to **grant anticipatory bail** to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Trichy and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously. The petitioners 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 will stand dismissed.

sd/-

17/12/2021

/ 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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
TRICHY.
- 2 DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE
SESSIONS COURT POLICE STATION, TRICHY CITY,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.PRAKASH, Advocate (SR-9555[I] dated 21/12/2021)

ORDER
IN
CRL OP(MD) No.16724 of 2021
Date :17/12/2021

RS/VR/SAR4(22.12.2021) 3P-6C