



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7828 of 2022

1 RAMU
2 RANI
3 MANIKANDAN

[PETITIONERS / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.
CRIME NO.42 OF 2022

[RESPONDENT]

For Petitioners : M/S.M.JAYACHANDRAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 366 (A) of IPC in Crime No.42 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The first and second petitioners are the grand parents of the 13 years old victim girl and third petitioner is the uncle. The father of the minor girl has lodged a complaint that her daughter was kidnapped by these petitioners to conduct child marriage. Based on the complaint, minor girl was rescued and the investigation indicates that the minor victim girl was sent with her grand parents to attend temple festival. Thereafter, she was kidnapped by these petitioners to conduct forcible marriage of the victim girl with one of the relatives and the investigation also indicates that the girl has gone voluntarily with the consent of the defacto complainant along with petitioners herein. Therefore, ingredients of Section 366



(A) does not det attract. For the said reason, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

3. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palacode, on condition that the petitioners shall execute separate bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 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 petitioners shall report before the Investigation Officer as and when required for an 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 are 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/-

05/04/2022

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 JUDICIAL MAGISTRATE,
PALACODE.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.JAYACHANDRAN Advocate on payment of necessary
charges SR.NO.5147

CRL OP.7828/2022

Date :05/04/2022

JPA 13/04/2022