



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9587 of 2022

1 MURUGAN

[PETITIONERS/ ACCUSED]

2 VELU

3 VINOTH KUMAR

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
AWPS, HOSUR,
KRISHNAGIRI DISTRICT.
(CR.NO. 28 OF 2021)

[RESPONDENT]

For Petitioner : M/S. K.C.KARL MARX Advocate

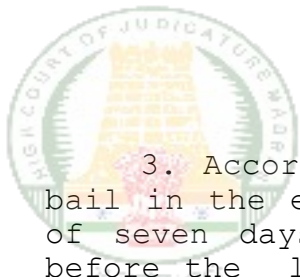
For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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 363, 366 of IPC and Sections 5(1), 6(1) of POCSO Act and Sections 9 and 10 of Tamil Nadu Prohibition of Child Marriage Act, in Crime No.28 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The petitioners are relatives of the prime accused Vignesh against whom, an FIR was lodged by the mother of the minor girl alleging that minor girl was kidnapped from her lawful custody. Later, the girl was secured and on investigation it was found that the said Vignesh had sexual relationship with the minor girl. Hence, the charge sheet was altered by including the offence POCSO Act. However, the complaint as well as the statement of the minor girl it appears that these petitioners have no role in the said offences, 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-II, Hosur, on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty 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 Investigating 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/-

27/04/2022

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-II,
HOSUR.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AWPS, HOSUR, KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. K.C.KARL MARX Advocate on payment of necessary
charges SR.No.6399

CRL OP.9587/2022

Date :27/04/2022

CSK 04/05/2022