



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11824 of 2022

K.ANGAMUTHU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALLADAM,
TIRUPPUR.
CRIME NO.76 OF 2022.

[RESPONDENT]

For Petitioner : M/S.M.MAHARAJA Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 366 and 366(A) of IPC and Section 7 read with Section 8 of POCSO Act of IPC in Crime No.76 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the first accused fell in love with the victim girl aged about 15 years and eloped with the victim and on the complaint lodged by the parents of the victim, the victim girl was secured and Accused 1 and 2 were arrested and remanded to judicial custody. As far as this petitioner, who is arraigned as third accused, is concerned, he helped the first accused in eloping with the victim girl.

3. That apart, on a perusal of the statement recorded under Section 164 Cr.P.C, this Court finds that there is no specific overt act against the other accused. Insofar as the petitioner is concerned, when they proceeded to Palani in a car, the petitioner got down in the half way through.



4. The learned counsel appearing for the petitioner would submit that this petitioner is no way connected with this case.

5. The learned Additional Public Prosecutor would submit that the victim girl, who is a minor was secured subsequently.

6. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Sessions Judge, Mahila Court (FAC), Tiruppur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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].



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

-sd/-
20/05/2022

WEB COPY

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 SESSIONS JUDGE,
MAHILA COURT (FAC), TIRUPPUR

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALLADAM, TIRUPUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.MAHARAJA Advocate on payment of necessary charges
SR.NO.7638

CRL OP.11824/2022

Date :20/05/2022

JPA 24/05/2022