



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23.02.2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD).No.3671 of 2022

1.Karthick
2.Aajay

... Petitioners/Accused Nos.2 & 3

Vs

State represented through
The Inspector of Police,
Panavadalichatram Police Station,
Tenkasi District.
(Crime No.190 of 2021)

... Respondent/Complainant

For Petitioner : M/s.RJ.KARTHICK
Advocate.

For Respondent : Mr.R.SIVAKUMAR
Government Advocate (Crl side)

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

PRAYER :- For Anticipatory Bail in Crime No.190 of 2021 on the file of the Respondent police.

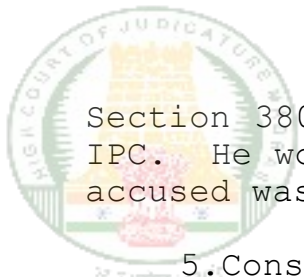
ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 and 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 366 of IPC in Crime No.190 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first accused with the help of the petitioners and other accused persons kidnapped the victim girl and on the next day dropped her in the bus stand. The respondent police have secured the victim girl. Hence the complaint.

3.The learned counsel for the petitioner submitted that the first accused and the victim girl were in love with each other and on the date of her birthday the victim girl was taken by the first accused.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is having four previous cases, in which two cases are registered for the offences under the TNCP Act, one case is under



Section 380 of IPC and another one is for the offence of 506(ii) of IPC. He would submit that the victim girl was secured and the first accused was absconding.

5.Considering the nature of the charges levelled against the petitioner and also the facts that the victim girl was secured and that the petitioners are not having previous cases for similar or serious offences, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation.

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]**.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/02/2022

/ TRUE COPY /

/ /2022
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
SANKARANKOVIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PANAVALALICHATRAM POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.3671 of 2022

Date :23/02/2022

SA/SBN/SAR.2/02.03.2022/3P/5C