



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/05/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.9081 of 2022

Jothimani

...(*)Petitioner/Accused No.6

Vs

The State Represented by
The Inspector of Police,
Gujiliyamparai Police Station,
Dindigul.
(Crime No. 81 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Vishnu.V,
Advocate.

For Respondent : A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.81 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

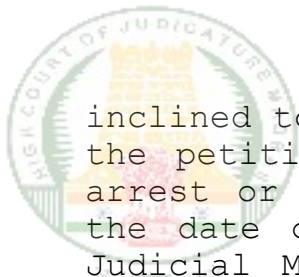
The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 147, 148, 324 and 366 of IPC in Crime No.81 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons kidnapped the defacto complainant's daughter for the purpose of marrying her. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the victim was secured and marriage was performed. He also submits that the petitioner is the sister of the first accused.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the victim was secured.

5.Considering the facts and circumstances of the case and also considering the fact that the victim was secured, this Court is



inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vedasanthur 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 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 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/05/2022

(*) Amended as per order of this Hon'ble Court dated 22/06/2022 in CrI.MP(MD). 6534/2022 in CRL OP(MD). No.9081 of 2022 by GIJ.

Time is also extended for 15 days, from the date of receipt of copy of this order.

/ TRUE COPY /

06/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LM/TM



Note : In view of the present lock down owing to COVID-19, 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.

WEB COPY

TO
TO BE SUBSTITUTED WITH THE ORDER DATED 11/05/2022 ALREADY DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
VEDASANDUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
GUJILYAMPARAI POLICE STATION, DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9081 of 2022
Date :11/05/2022

SS/PN/SAR:IV/12.05.2022 : 3P/5C
RK/JM/SAR-IV/06.07.2022 3P/5C