



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/05/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9389 of 2022

Balasubramani,
S/o. Muthusamy

... Petitioner/Accused (Rank Not Known)

Vs

State Rep by
The Inspector of Police,
Guzilamparai Police Station,
Dindigul.

Crime.No. 81 of 2022. ... Respondent/Complainant

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

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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 offences punishable under Sections 147, 148, 324 and 366 of IPC, in Crime No.81 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant had arranged marriage for her daughter on 08.05.2022. But the accused persons kidnapped the daughter of the defacto complainant. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the
<https://hccservices.mca.gov.in/licservices/> innocent person and he has been falsely implicated



in this case. He further submitted that the co-accused has been released on bail.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the the investigation is almost completed and the girl was secured.

5.Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner and the fact that the co-accused has been released on bail and that the girl has also been secured, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Vedsanthur, on condition that the petitioner shall execute 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 Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the 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]**.

sd/-
18/05/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



ssb

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 learned Judicial Magistrate, Vedasanthur.
2. Do Through The Chief Judicial Magistrate,
Dindigul.
3. The Inspector of Police,
Guzilamparai Police Station, Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.9389 of 2022
Date : 18/05/2022

TR/VR/SAR-IV(23.05.2022) 3P 5C