



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2022

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PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.10609 of 2022

X.Jiotter

... Petitioner/Accused

Vs.

State rep.by
The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
Cr.No.61/2022.

... Respondent/Complainant

For Petitioner : Mr.Aayiram K.Selvakumar,
Advocate.

For Respondent : Mr.Thanga Aravindh, B.
Government Advocate (Criminal Side)

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

PRAYER :-

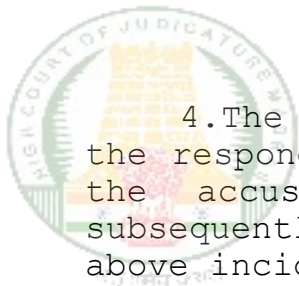
For Anticipatory bail in Cr.No.61/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 365 and 506(1) IPC, in Crime No.61 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are relatives. On 18.04.2022, the petitioner forcibly abducted the defacto complainant and her son and confined them in a lodge at Velankanni for two days. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that due to previous enmity with regard to the money transaction, the present case has been foisted against the petitioner.



4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there existed relationship between the accused and the defacto complainant for one year and subsequently, she stopped the relationship, due to that motive, the above incident was occurred.

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5.Considering the facts and circumstances of the case and also the facts that no one was injured in this case and that the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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 of receipt of a copy of this order, before the learned Judicial Magistrate, Radhapuram, Tirunelveli District, 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 daily at 10.30 am until further orders;

[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]**.

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

sd/-
17/06/2022

/ TRUE COPY /

22/06/2022
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, Radhapuram,
Tirunelveli District.
- 2.Do through,
The Chief Judicial Magistrate,
Tirunelveli.
- 3.The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10609 of 2022
Date :17/06/2022

RK/JM/SAR-IV/22.06.2022 : 3P/5C