



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.10738 of 2022

WEB COPY

1.Tamilsevam
2.Manimuthu

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
State of Tamil Nadu,
Karaikudi North Police Station,
Sivagangai District.
Crime No.151 of 2022.

... Respondent/Complainant

R.Chithra

... Petitioner/Intervener

For Petitioners : M/s.Balakrishnan R, Advocate.
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)
For Intervener : Mr.Venkatesh D, Advocate

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

PRAYER :-

For Anticipatory Bail in Cr.No.151 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 448, 294(b), 323, 363 and 341 of IPC and Section 4 of the Prohibition of Harassment of Women Act, in Crime No.151 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the alleged victim girl. She lodged a complaint stating that her elder daughter namely, Bhuvana is a post graduate degree holder. After completing her education, she was in her house. On 09.06.2022, at about 09.00 a.m, the accused came to the house of the defacto complainant and kidnapped her daughter by attacking and criminally intimidating. Based on the complaint given by her, present case has been registered.



3.The learned counsel for the petitioners submitted the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is aged about 33 years and the victim girl is aged about 24 years. During the course of investigation, the victim girl was secured by the police. But, however, the petitioners have produced the victim girl before the Court. She has given a statement before the Court that on her own volition, she went out of the house and married the first petitioner and her statement was also placed on record by the Court.

5.Considering the facts and circumstances of the case and also considering the fact that the statement given by the victim girl before the Court, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Judicial Magistrate, Karaikudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

29/06/2022

/ TRUE COPY /

/07/2022

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, KARAIKUDI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-6376[I] dated
30/06/2022)

+1 CC to M/s.D.VENKATESH, Advocate (SR-6380[I] dated 30/06/2022)

ORDER

IN

CRL OP(MD) No.10738 of 2022

Date :29/06/2022

RS/VR/SAR.1 (08.07.2022) 3P-7C