



CrI.OP.No.21424 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.21424 of 2023

Ananthakumar

...Petitioner

Vs.

The State Rep by
The Inspector of Police,
Avinangudi Police Station,
Cuddalore District,
Cuddalore.
(Crime No.40 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.40 of 2023 on the file of respondent Police.

For Petitioner : Mr.M.Kalaiyaran

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



CrI.OP.No.21424 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.08.2023 for the offences punishable under the caption “Woman Missing” and subsequently altered into Sections 294(b), 506(ii), 495 of IPC in Crime No.40 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner and the victim girl were working in the same company and developed love and later they got married. However, alleging that, petitioner has suppressed his first marriage, married the victim girl and also alleging that, petitioner had abused and criminally intimidated the victim girl, FIR in Crime No.40 of 2023 was registered against the petitioner under the caption “Woman Missing” subsequently altered into Sections 294(b), 506(ii), 495 of IPC. Petitioner is in judicial custody from 14.08.2023. Thus, this petition is filed seeking bail.



CrI.OP.No.21424 of 2023

WEB COPY

3. In response, the learned Additional Public Prosecutor submitted that, defacto complainant, who is the father of the victim gave a complaint before the respondent police stating that, his daughter went missing from the early morning hours of 17.04.2023. During the course of the investigation, it came to light that, victim girl got eloped with the petitioner and they were living as husband and wife. As a result, victim girl got pregnant. Later, she came to know that, petitioner is already a married man. When she questioned about the same, petitioner said to have abused in filthy language and threatened her.

4. Considering the nature of allegations made in the FIR and the alteration report and the fact that, petitioner is in Judicial Custody from 14.08.2023 and that, material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is 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, Thittakudi** and on further



CrI.OP.No.21424 of 2023

conditions that :-

[a] 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 daily at 10.00.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].



CrI.OP.No.21424 of 2023

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

19.09.2023

sma

To

1. Judicial Magistrate, Thittakudi.

2. The Inspector of Police,
Avinangudi Police Station,
Cuddalore District,
Cuddalore.

3. Sub Jail,
Virudhachalam.

4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.21424 of 2023

G.CHANDRASEKHARAN. J.

sma

Crl.O.P.No.21424 of 2023

19.09.2023