



CRL OP(MD). No.11800 of 2023

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

Date : 30/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11800 of 2023

1. Saleema

2. Rajeshwari

... Petitioners / Accused No.6 & 7

Vs

The State of Tamil Nadu rep by
The Inspector of Polce,
Dhadikombu Police Station,
Dindigul District.
(Crime No.64 of 2022).

... Respondent / Complainant

For Petitioner : S.Karthikeyan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.64 of 2022 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/A6 and A7, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 80 and 81 of the Juvenile Justice (Care and Protection of Children) Act 2015, in Crime No.64 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners helped the first and second accused for taking the child of accused 4 and 5 by receiving lump sum amount. Based on the complaint given by the Child Welfare Officer, the present case has been registered against the petitioners.

3.Heard. Perused the materials available on record including the First Information Report.

4.Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions:

5.Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned (*) Judicial Magistrate, Kodaikanal Dindigul District, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/06/2023

(*)AMENDED AS PER ORDER OF THIS
COURT DATED 25.07.2023 IN CRL MP
(MD)NO.10531 OF 2023 AND CRL OP(MD)
NO.11800 OF 2023

/ TRUE COPY /

/08/2023

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

SJI
To

TO BE SUBSTITUTED WITH THE ORDER DATED 30/06/2023 ALREADY
DESPATCHED.

1.THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL, DINDIGUL DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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2.THE JUDICIAL MAGISTRATE, KODAIKANAL DINDIGUL DISTRICT,

3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

4.THE INSPECTOR OF POLICE,
DHADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.S.KARTHIKEYAN, Advocate SR-35874(F)

ORDER
IN
CRL OP(MD) No.11800 of 2023
Date :30/06/2023

ED/ /SAR- (10/07/2023) 5P 6C

RK /BUC(01/08/2023) 5P /7 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023