



CRL OP(MD) No.1759 of 2024

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

Wednesday, the Twenty First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1759 of 2024

R MANOJ

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VALLIYOOR,
TIRUNELVELI DISTRICT.
(CRIME NO.4/2024)

... Respondent / Complainant

For Petitioner : M/s.Venkatesh, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 4/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Section 304B of the Indian Penal Code, 1860, is hereby granted anticipatory bail.



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altered into Section 366 IPC and Section 3 r/w 4 POCSO Act, 2012, in Crime No.4 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant's daughter, who is aged about 15 years, went missing and hence, she made a complaint. Thereafter, it came to light that the petitioner herein kidnapped her.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner and the victim girl loved each other and with her consent only, they ran away from the house and thereafter, they returned to home. Accordingly, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner and the victim girl loved each other and thereby, they ran away from the house. Now they returned. The Statement of the victim girl recorded under Section 164 Cr.P.C., is also produced by the learned Government Advocate(Crl.side).

5.On perusal of the victim girl's statement reveals that she on her own volition, went along with the petitioner and there is no serious allegation as against the petitioner. Therefore, this Court is inclined to grant anticipatory bail to the



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petitioner with certain conditions.

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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.10,000/- (Rupees Ten Thousand Only) 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 and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police as and when required;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



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(f)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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Judicial Magistrate,
Radhapuram, Tirunelveli District.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.1759 of 2024
Date :21/02/2024

ED/VR /SAR- (28/02/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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