



CRL OP(MD) No.2466 of 2024

WEB COPY

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

Thursday, the Twenty Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2466 of 2024

MANIMUTHU

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
KK NAGAR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.32 OF 2024)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.RAMESH KUMAR, Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (CrI. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.32 OF 2024 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 147, 366, 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.32 of 2024, seeks anticipatory bail.



CRL OP(MD) No.2466 of 2024

WEB COPY

2.The case of the prosecution is that the petitioner and the other accused were friends. A1 is the victim girl's uncle's son. Due to the affection on the victim girl, the accused persons kidnapped the victim girl for performing marriage with A1. However, due to the non co-operation of the victim girl, they have again dropped the victim girl near by her house. Hence, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the allegation made against the petitioner is that he threatened the victim girl not to disclose the occurrence to anyone. Except this allegation, no other allegation is made against him. Further, there was no sexual violation. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that though the victim girl was dropped by the accused persons, the conduct of the accused is heinous one. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.



CRL OP(MD) No.2466 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the fact that no serious allegation is made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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 No.II, Tiruchirappalli**, 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 his 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 his identity;



CRL OP(MD) No.2466 of 2024

WEB COPY

(c) the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of 2 weeks and thereafter, as and when required for interrogation;

(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;

(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/-
22/02/2024

/ TRUE COPY /

/02/2024

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

DSS



CRL OP(MD) No.2466 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.II
TIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KK NAGAR POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.VEERAPANDI SELVARAJ, Advocate (SR-2275[I] dated 22/02/2024)

ORDER
IN

CRL OP(MD) No.2466 of 2024

Date :22/02/2024

SS/GS/SAR- /29/02/2024/5P/6C

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