



CRL OP(MD) No.3346 of 2024

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

Monday, the Fourth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.3346 of 2024

1 DINESH @ THAVAKUMAR
2 MANI @ MANIKANDAN
3 SIVA @ SIVANESAN
4 ARUN @ ARUNKUMAR

... PETITIONERS/ACCUSED NOS.1 TO 4
Vs

THE INSPECTOR OF POLICE
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 230 OF 2023

... RESPONDENT/COMPLAINANT

For Petitioners : MR.D.RAMESHKUMAR, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.230 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Section Women Missing @ 366 of IPC, in Crime No.230 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant made a complaint before the respondent Police stating that her daughter namely Parameshwari was



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found missing. Later, it was found that the first petitioner said to have abducted the said Parameshwari. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. The petitioners have obtained anticipatory bail by the concerned Court with certain conditions, but the conditions imposed upon the petitioners were not complied, hence the present petition has been filed. Now the petitioners are ready to comply the condition that may be imposed by this Court. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that no previous case is pending against the first petitioner, one previous case is pending against the second and fourth petitioners each and two previous cases are pending against the third petitioner. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that the trial Court granted anticipatory bail to the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the



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learned Judicial Magistrate, Alangudi, Pudukkottai 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 and on further condition that:

(a)if the petitioners 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 petitioners shall report before the respondent Police as and when required for interrogation,;

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

(e)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-

04/03/2024

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

INDU

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

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Date :04/03/2024

RS/JGB/SAR-(14.03.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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