



CRL OP(MD). No.9708 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9708 of 2024

(*)M.Sudhisbabu

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Melathur Police Station,
Thanjavur District.
(Crime No.176/2024.)

... Respondent/Complainant

For Petitioner : M/s.Vaigunth.A.S., Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.176/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section Girl Missing of IPC @ Sections 5(1), 6 of POCSO, in Cr.No.176 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto



CRL OP(MD). No.9708 of 2024

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complainant's daughter loved each other, after knowing the same, the defacto complainant warned his daughter. Thereafter, the defacto complainant's daughter eloped with the petitioner. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the defacto complainant warned his daughter about her love relationship and thereafter, she went to Tirupur with her fiend and she stayed with her.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before(**) the learned Special Courts in the Cader of District Judge for Exclusive Trail of Cases under POCSO Act, Thanjavur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



CRL OP(MD). No.9708 of 2024

only) with two sureties, each for a like sum to the satisfaction of the respondent

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Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner 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 petitioner shall report before the respondent police on every Saturday at 10.30 a.m., until further orders.

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

(d) the petitioner shall not abscond 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



CRL OP(MD). No.9708 of 2024

5560]; and;

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

sd/-
22/07/2024

(*)(**)CORRECTED AS PER ORDER OF
THE COURT DATED 30.09.2024 IN
CRL MP(MD)NO.10410 OF 2024 IN
CRL OP(MD)NO.9708 OF 2024

TIME FOR EXECUTING THE
SURETIES IS EXTENDED FOR A
PERIOD OF ONE WEEK FROM THE
DATE OF RECEIPT OF A COPY OF
THIS ORDER.

/ TRUE COPY /

/10/2024

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

TTA

To

To be substituted with the order dated 22/07/2024 already despatched

1.The Judge,
Additional Mahila Court, Thanjavur.

2.The Judge, Special Courts in the Cader of District Judge for Exclusive Trail of
Cases under POCSO Act, Thanjavur



CRL OP(MD). No.9708 of 2024

3.The Inspector of Police,
Melatur Police Station,
Thanjavur District.

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

ORDER
IN
CRL OP(MD) No.9708 of 2024
Date :22/07/2024

ED/ GS /SAR- (12/08/2024) 5P / 4C

RK/MMS(17.10.2024) 5P/5C

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