



CRL OP(MD). No.15307 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15307 of 2024

1. Azarmuthu,

2. Karthik Raja,

3. K. Shanthi,

... Petitioners/ Accused No.2-4

Vs

The Inspector of Police,
Koombur Police Station,
Dindigul District
(Crime No. 129 of 2024).

... Respondent/Complainant

For Petitioners : M/s. Balameenakshi.J.,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 129 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 137(2), 142 of BNS r/w. 9 of Child Marriage Act, in Crime No.129 of 2024, seek anticipatory bail.

2. The case of the prosecution is that based on the complaint given by the defacto complaint case has been registered under the caption for “girl missing”.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations in this case that the petitioners enticed the victim and kidnapped the child and considering the nature of 164 statement given by the child that A1 proposed to marry the child and took the child and thereafter, once again brought the child and left to the custody of the police station, I am inclined to enlarge the petitioners on anticipatory bail.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Mahila Court, Dindigul, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 am for a period of three 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]*; and;

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

sd/-
11/09/2024

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/10/2024

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

TRP

TO

- 1 THE JUDGE,
MAHILA COURT, DINDIGUL.
- 2 THE INSPECTOR OF POLICE
KOOMBUR POLICE STATION,
DINDIGUL DISTRICT



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

+1 CC to M/s.J.BALAMEENAKSHI, Advocate (SR-11174[I] dated 11/09/2024)

ORDER
IN

CRL OP(MD) No.15307 of 2024
Date :11/09/2024

SS/MMS/SAR- /03/10/2024/5P/5C

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