



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

Wednesday, the Thirtieth day of November Two Thousand Eleven

PRESENT

The Hon`ble Mr.Justice V.PERIYA KARUPPIAH

CRL OP(MD) No.15653 of 2011

C. VELU : PETITIONER / SOLE ACCUSED

-Vs-

THE STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUPPATHUR TOWN POLICE STATION,
SIVAGANGAI DT.
CR NO. 238/2011

: RESPONDENT / COMPLAINANT

For Petitioner : M/S. K.KUMARAVEL,
Advocate

For Respondent : MR.K.S.DURAIPANDIAN,
ADDITIONAL PUBLIC PROSECUTOR.

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

ORDER: The Court Made the following order:-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences under Section 366 I.P.C., in Crime No.238 of 2011 on the file of the respondent police and hence, seeks anticipatory bail.

2. Heard Mr.K.Kumaravel, learned counsel for the petitioner and Mr.K.S.Duraipandian, learned Additional Public Prosecutor appearing for the respondent State.

3. The learned counsel for the petitioner would submit in his argument that the petitioner is stated to be the father of the first accused. He would further submit that both the son of the petitioner as well as the defacto complainant's daughter were loving each other and they have eloped and the petitioner is also searching his son. He would further submit that both the son of the petitioner and the defacto complainant's daughter are major persons and there is no element of abduction by the son of the petitioner. The petitioner is totally unconnected with the said elopement. He would further submit that he is having permanent residence and he would not abscond from the clutches of law and he is ready to co-operate with the investigation and therefore, he may be released on anticipatory bail.

4. The learned Additional Public Prosecutor would submit in his argument that the petitioner is ranked as A2, for helping the first accused to abduct the defacto complainant's daughter



from the custody of the defacto complainant. He would further submit that the investigation is pending and therefore, if for any reason, the petitioner is granted anticipatory bail, suitable conditions may be imposed.

5. Considering the submissions made by both sides, this Court could see that the petitioner is the father of the first accused and his son/A1 had disappeared along with the defacto complainant's daughter and it has been stated in the complaint that the first accused (petitioner's son) had abducted the defacto complainant's daughter and for that the petitioner herein had helped. All these things have to be gone into during investigation, since both the son of the petitioner as well as the daughter of the defacto complainant are admittedly major persons.

6. In the said circumstances, I can find that the petitioner has got permanent residence and therefore, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Thiruppathur and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before respondent police daily at 10.30. a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

30/11/2011

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO:

- 1.The Judicial Magistrate, Thiruppathur, Sivagangai District.
- 2.-Do- Thro' The Chief Judicial Magistrate, Sivagangai.
- 3.The Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 4.The Inspector of Police, Thiruppathur Town Police Station,
Sivagangai District.

+1. CC to M/S, K.KUMARAVEL Advocate SR.No.42040.

<https://hcservices.ecourts.gov.in/hcservices/>

RP/02.12.2011/2P/6C.

ORDER IN CRL OP(MD) No.15653 of 2011

Date :30/11/2011.