



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

Thursday, the Second day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12261 of 2015

1 SURESH

2 KUMAR

... PETITIONERS/ACCUSED 2 & 3

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
MUTHIAHPURAM POLICE STATION,
TUTICORIN DT,
CRIME NO.149/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SARAVANAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were remanded to judicial custody by the respondent police on 10.06.2015 for the alleged offence under Section 366(A) IPC and Section 4 of Protection of Children from Sexual Offence Act, 2012 in Crime No.149 of 2015 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused have kidnapped the victim, who is aged about 16 years for the purpose of marriage and thereafter the first accused committed rape.

3.The learned counsel for the petitioners submitted that the first petitioner is the brother of A1 and the second petitioner is the driver and the petitioners are innocent persons and they have been falsely implicated in this case. It is further submitted that the alleged victim and the first accused had love affair and on her own volition, the alleged victim have joined with the first accused and they went to Chennai. The learned counsel further submitted that the first accused and the victim girl are said to have travelled in a car belonging to the third accused.

4. The learned Government Advocate(Crl.side) submitted that this is a case of love affair and the victim is now secured and the prime accused was also arrested and remanded to judicial custody. As per the



prosecution, the petitioners/A2 and A3 have helped the first accused to kidnap the girl.

5. Considering the overt act attributed against the petitioners, I am inclined to enlarge the petitioners on bail on the following conditions. Accordingly, they are directed to be released on bail on each of them executing a separate 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 Judicial Magistrate No.II, Tuticorin, and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m until further orders.

sd/-
02/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
TUTICORIN.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, TUTICORIN.

4 THE SUB INSPECTOR OF POLICE
MUTHIAHPURAM POLICE STATION, TUTICORIN DT.

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

+1. CC to M/S.M.SARAVANAN Advocate SR.No.35355

ORDER
IN
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Date :02/07/2015

PA/PRV/02.07.2015/2P/7C