



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

Monday, the Twenty First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17542 of 2015

SUBASH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
IN CRIME NO. 686 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.SANKAR PRAKASH Advocate

For Respondent : M/S.S.Prabha Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

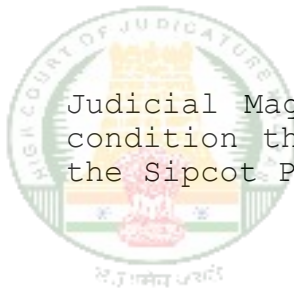
The petitioner, who is arrayed as the sole accused in Crime No.689 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 08.08.2015, for the alleged offences punishable under Section 366(A) of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that on 08.08.2015 at 01.30 p.m., when the daughter of the de-facto complainant was returning from the school, the accused had kidnapped her under threat for the purpose of marriage.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he is a physically challenged person and it is highly impossible for the accused to kidnap the victim girl as alleged by the de-facto complainant and it is further submitted that even according to the alleged victim girl, there is no sexually harassed by the accused and it is a case of one side love.

4.The learned Government Advocate (Crl.side) would submit that the victim girl was secured and now she is residing with her mother.

5.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his 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



Judicial Magistrate, Padmanabhapuram, Kanyakumari District and on further condition that the petitioner shall stay at Thoothukudi and report before the Sipcot Police Station daily at 10.00 a.m until further orders.

sd/-
21/09/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE SUB INSPECTOR OF POLICE, THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
 - 5 THE OFFICER INCHARGE, DISTRICT JAIL, NAGERCOIL.
 - 6 THE OFFICER INCHARGE, SIPCOT POLICE STATION, THOOTHUKUDI.
- +1. CC to M/S C.SANKAR PRAKASH Advocate SR.No. 17542.

TS/21.09.2015/2P - 8C GSV-PM/SAR -I

ORDER
IN
CRL OP(MD) No.17542 of 2015
Date :21/09/2015