



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

Thursday, the Seventeenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.24058 of 2015

G. SIVAKUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PULIVALAM POLICE STATION,
TIRUCHIRAPALLI DISTRICT,
CR NO.202 OF 2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.PALANIRAJA Advocate

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

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

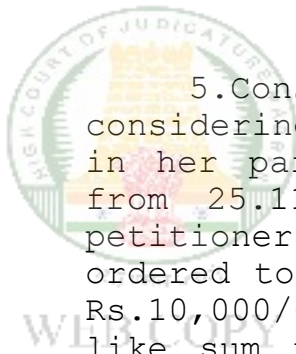
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, in Crime No.202 of 2015 on the file of the respondent police, was arrested on 25.11.2015 for the alleged offences punishable under Sections 366(A) of I.P.C., r/w 5(1) and 6 of Protection of Children from Sexual Offences Act, 2012 and hence, seeks bail.

2. The case of the prosecution is that the petitioner on 15.11.2015 kidnapped the daughter of the de-facto complainant, who is a minor girl aged 13 years. The de-facto searched for his daughter and found petitioner and his daughter. She advised her daughter and brought her home. Again on 17.11.2015, the petitioner kidnapped her minor daughter and on promising to marry her, had sexual intercourse with her. The De-facto complainant got petitioner and her daughter on 25.11.2015 and handed over them to the respondent police. On complaint, case has been registered.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that both petitioner and the victim girl had fallen in love, which was not accepted by the parents of the victim girl. They arranged her marriage with another boy and to escape from that, the victim girl left her home on her own volition. The petitioner has been falsely implicated.

4.The learned Government Advocate (Crl.side) submitted that the petitioner kidnapped the victim girl and subsequently minor girl was secured and now, she is in her parents custody.



5. Considering the facts and circumstances of the case and also considering the fact that the victim girl is secured and now, she is in her parents custody and the petitioner is in judicial custody from 25.11.2015, 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, Thuraiyur and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-

17/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
PULIVALAM POLICE STATION,
TIRUCHIRAPALLI DISTRICT
- 5 THE SUPERINTENDENT
CENTRAL PRISON, TIRUCHIRAPALLI.

+1. CC to M/S M.PALANIRAJA Advocate SR.No.72232

ORDER

IN

CRL OP(MD) No.24058 of 2015

Date : 17/12/2015

RG.JGB-DP/SAR-I 18.12.2015 2P:7C