



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

Wednesday, the Eleventh day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.3837 of 2015

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MUNIYANDI

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SRIVILLIPUTHUR TOWN POLICE STATION,

VIRUDHUNAGAR DISTRICT.

(CR. NO.102/2015.)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 10.02.2015 for the offence punishable under Sections 364(A), 294(b), 323, 506(i), 109 r/w 34 IPC in Crime No.102 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The de-facto complainant in this case is one Muthukumar. It is seen that Palaniselvam (A5) had lent several lakhs of money to the wife of the de-facto complainant by name Padma on the promise that she will arrange job in the Government to the relatives of Palaniselvam. After receiving the money, Padma neither returned the money nor got the job and therefore, Palaniselvam (A5) lodged a complaint against Padma, based on which, a case in Crime No.575 of 2014 under Sections 406 and 420 IPC was registered against Padma and others in Srivilliputhur Town Police Station. In this case, the de-facto complainant, who is the husband of Padma has alleged that the petitioner along with A1 tried to abduct him on 10.02.2015 in order to get back the money that was given to the de-facto complainant's wife Padma by Palaniselvam (A5). This petitioner and the co-accused were caught by the public and were handed over to the police at the time of the abduction on 10.02.2015. It is also seen that the Sessions Court has granted bail to Pandi (A3) and Senthilkumar (A4) in Crl.M.P.No.1565 of 2015 on 06.03.2015. Under such circumstances, this Court is of the view that it is a fit case to grant bail to the petitioner, but with conditions.

4. 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, No.II, Srivilliputhur, and on further condition that:

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

[a] the petitioner shall report before the respondent police everyday daily at 10.30 a.m. and 06.30 p.m. for a period of two weeks



and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

WEB COPY [c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

11/03/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.

2 DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.

4 THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.11642

ORDER

IN

CRL OP(MD) No.3837 of 2015

Date :11/03/2015

PA/11.03.2015/2P/7C