



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

Wednesday, the Fifteenth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6940 of 2015

SANTHANA MUNIYNADI

... PETITIONER /SINGLE ACCUSED

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE
T.KALLUPATTI POLICE STATION,
MADURAI DISTRICT.
CR. NO. 57/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM Advocate

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

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

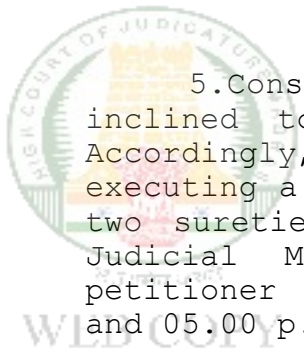
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused in Crime No.57 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 06.04.2015 for the alleged offences punishable under Sections 366(A) which was altered into Sections 376, 368 of I.P.C., r/w. Section 4 of Protection of Children from Sexual Offences Act 2012, and hence, seeks bail.

2.The case of the prosecution is that the petitioner had kidnapped the daughter of the de-facto complainant and had physical relationship with her.

3.The learned counsel for the petitioner submitted that the victim and the petitioner were studying in the same school and in the same class and both of them have fallen in love with each other. He further submits that on her own volition, the daughter of the de-facto complainant has joined with the petitioner and they have married and they were living together at Thirupur as husband and wife. He further submits that the alleged occurrence said to have taken place on 02.03.2015 and after securing the petitioner, the case was altered into Section 376 of I.P.C. The learned counsel for the petitioner submitted that the petitioner is ready to live with the daughter of the de-facto complainant.

4.The learned Government Advocate (Crl.side) would submit that the age of the victim is 17 years and due to love affairs, the petitioner kidnapped the victim. The learned Government Advocate (Crl.side) produced the 161 statement of the alleged victim in which, she has admitted that the accused and the victim have fallen in love with each other and on 02.03.2015 she left her house on her own volition and marriage was solemnized at Lakshmi Amman Temple on the same day and thereafter, they were residing at Thirupur and when they returned to Madurai, the respondent police arrested the accused.



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 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, Peraiyur 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/-
15/04/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE,PERAIYUR.
 - 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 - 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE SUB-INSPECTOR OF POLICE
T.KALLUPATTI POLICE STATION, MADURAI DISTRICT.
 - 5.THE OFFICER INCHARGE,SUB JAIL, MELUR.
- +1. CC to M/S.A.K.MANICKAM Advocate SR.No.18695

ORDER
IN
CRL OP(MD) No.6940 of 2015
Date :15/04/2015

RG.15/04/2015 2P/7C.