

Crl.O.P.No.4640 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is arrayed as A-1, was arrested and remanded to judicial custody on 05.12.2015 for the alleged offences punishable under Sections 365 and 366[A] of IPC and subsequently altered into Sections 365, 366[A], 212 of IPC and 5[1]n r/w 6 & 17 of POSCO Act in Crime No.12 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner, who is already married had abducted the daughter of the de facto complainant on 02.12.2015 and had physical relationship with her.

3.Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that A-2 was already released on bail by this Court in Crl.O.P.No.30757 of 2015 and the respondent has laid charge sheet in this case.

4.Per contra, learned Government Advocate [Criminal Side] appearing for the respondent vehemently opposed to grant bail to the petitioner contending that the victim is from North India and she is only 14 years old, the petitioner, who was already married had abducted the girl and had physical relationship with her in the house of A-2. It is further submitted that the petitioner is not similarly placed that of A-2. It is also submitted that the respondent has already completed the investigation and laid charge sheet in this case.

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5.Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum, to the satisfaction of the learned Magalir Neethimandram Fast Track Mahila Court, Tiruppur and on further condition that the petitioner shall report before the respondent police daily at 10.00a.m. until further orders.

22.03.2016

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