



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

Monday, the Fourth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.10968 of 2016

WEB COPY

MURUGAN

... PETITIONER/ACCUSED No.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT,
CR NO. 290/2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.BOOPATHIPANDIYAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.6, who was arrested and remanded to judicial custody on 01.06.2016 for the alleged offences punishable under Sections 366 of IPC, in Crime No.290 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused kidnapped one Saranya, who is the daughter of the defacto complainant. On complaint, case has been registered against the petitioner for the above said offence.

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 and he has been falsely implicated in this case. He further submitted that co-accused A3, A4 and A5 had already been arrested and enlarged on bail by this Court in Crl.O.P(MD)No.9453 of 2016, dated 16.06.2016, Crl.O.P(MD)No.10112 of 2016, dated 23.06.2016 and Crl.O.P (MD)No.10666 of 2016, dated 29.06.2016.

4.The learned Government Advocate(Crl.side) submitted that the victim is aged 21 years and she was kidnapped by the petitioner and other accused persons and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the victim is 21 years and that the victim is secured and the co-accused A3, A4 and A5 had already been arrested and enlarged on bail by this Court in Crl.O.P(MD)No.9453 of 2016, dated 16.06.2016, Crl.O.P(MD)No.10112 of 2016, dated 23.06.2016 and Crl.O.P (MD)No.10666 of 2016, dated 29.06.2016 and the petitioner is in judicial custody from 01.06.2016 and the injured person had already been discharged from the hospital, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner



is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur.
- (ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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]**.

6.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/-

04/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
KARUR.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, KARUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.BOOPATHIPANDIYAN Advocate SR.No.34616

ORDER IN

CRL OP(MD) No.10968 of 2016

Date :04/07/2016