



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

Tuesday, the Fifth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11022 of 2016

1 NAGARAJ
2 THANGAVEL
3 BALASUBRAMANI
4 MURUGAN

..PETITIONERS/ACCUSED 1,4,5 & 6

Vs.

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

..RESPONDENT/COMPLAINANT

For Petitioner : M/S D.RAMESH KUMAR Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1,4,5 and 6, who were arrested and remanded to judicial custody on 01.06.2016 for the alleged offence punishable under Section 366 IPC, in Crime No.290 of 2016, on the file of the respondent police and hence, seek bail.

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

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that co-accused / A4 had already been arrested and enlarged on bail by this Court vide order dated 16.06.2016 made in in Crl.O.P(MD)No.9453 of 2016 and another co-accused one Renugopal had already been arrested and enlarged on bail by this Court vide order dated 29.06.2016 made in in Crl.O.P(MD)No.10666 of 2016. He further submitted that the petitioners are in judicial custody from 01.06.2016 and prays for enlarging the petitioners on bail.

4.The learned Government Advocate (Crl. Side) submitted that the victim is aged 21 years and she was kidnapped by petitioners and other accused persons and the victim girl is secured and now, she is with her parents and the investigation of the case is pending.

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

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 that the co-accused had already been released on bail by this Court vide order dated 16.06.2016 made in CrI.O.P(MD)No.9453 of 2016 and order dated 29.06.2016 made in CrI.O.P(MD)No.10666 of 2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioners shall execute 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, Karur.
- (ii) the petitioners shall report before the respondent police daily twice i.e., at 10.00 a.m. and 05.30 p.m. until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 (CrI side), as to whether the petitioners are complying with the condition or not.

sd/-
05/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KARUR.
- 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ARAVAKURICHI POLICE STATION, ARAVAKURICHI, KARUR DISTRICT.
- 5 THE OFFICER-IN-CHARGE, SUB JAIL, KARUR.

+1. CC to M/S D.RAMESH KUMAR Advocate SR.No.34920
ORDER IN
CRL OP(MD) No.11022 of 2016
Date :05/07/2016