



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

Tuesday, the Twelfth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11051 of 2016

1 R. MUTHUMARI
2 K. RAJENDRAN

... PETITIONERS/ACCUSED 1& 2

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
THIRUPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO. 224/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.R.PRITHIVIRAJ Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. 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 and 2, who were arrested and remanded to judicial custody on 22.05.2016 for the alleged offence punishable under Section 366(A) IPC, in Crime No.224 of 2016, on the file of the respondent police and hence, seek bail.

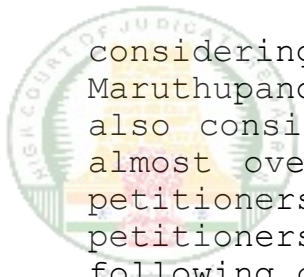
2.The case of the prosecution is that the petitioners kidnapped the victim girl for getting marriage with their son. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The son of the petitioners and the victim girl were loving each other. The parents of the victim girl arranged marriage for their daughter with one Ananthu @ Prabhu on 23.03.2016. Therefore, the victim girl has left her parents and due to that, a false complaint has been given. The petitioners are in judicial custody from 22.05.2016.

4.The learned Government Advocate(Crl.side) submitted that investigation is pending.

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

5.Considering the facts and circumstances of the case and also



considering the fact that the petitioners are the parents of one Maruthupandi and they are in judicial custody from 22.05.2016 and also considering the fact that major part of the investigation is almost over by this time, 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:

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- (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, Manamadurai.
- (ii) the petitioners shall report before the respondent police daily at 10.00 a.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 (Civil side), as to whether the petitioners are complying with the condition or not.

sd/-

12/07/2016

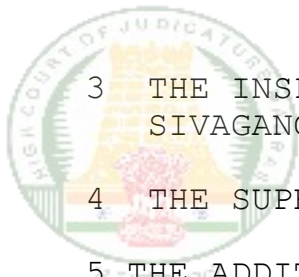
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.



3 THE INSPECTOR OF POLICE THIRUPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to M/S P.R.PRITHIVIRAJ Advocate SR.No.35863

ORDER

IN

CRL OP(MD) No.11051 of 2016

Date :12/07/2016

SD/SK-SKN/SAR II/12.07.2016/3P/7C