



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11608 of 2016

KITTANNAN @ PERUMAL

... PETITIONER/ACCUSED NO.3

Vs

STATE REPRESENTED BY THE
INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.290OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.NATARAJAN, Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government 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 accused No3, 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.

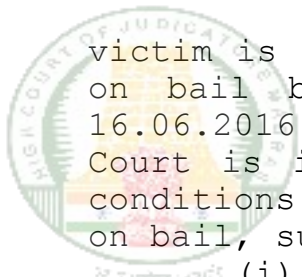
2. The case of the prosecution is that the petitioner along with other accused kidnapped one Saranya, who is the daughter of the defacto complainant. On complaint, case has been registered against the petitioner for the above said offence.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that co-accused / A4 and another un-named accused had already been arrested and enlarged on bail by this Court in Crl.O.P(MD).No.9453 of 2016 dated 16.06.2016 and Crl.O.P(MD)No.10666 of 2016 dated 29.06.2016. He further submitted that the petitioner is in judicial custody from 01.06.2016 and prays for enlarging the petitioner on bail.

4. The learned Government Advocate (Crl. Side) submitted that the victim is aged 21 years and she was kidnapped by petitioner 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 has already been released on bail by this Court in CrI.O.P(MD).No.9453 of 2016, dated 16.06.2016 and CrI.O.P(MD)No.10666 of 2016 dated 29.06.2016, 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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur.
- (ii) the petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm 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/-

14/07/2016

/ 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 THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT
- 3.THE SUPERINTENDENT, CENTRAL PRISON, SALEM
- 4.THE INSPECTOR OF POLICE, ARAVAKURICHI POLICE STATION, KARUR DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR MADURAI,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S M.NATARAJAN Advocate SR.No.36439
RL/7C/2P/SK/SKN/SARIII/14/7/2016

ORDER

IN

CRL OP(MD) No.11608 of 2016

Date :14/07/2016