



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12334 of 2016

SUBRAMANI

...PETITIONER /1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 261/2016)

...RESPONDENT / COMPLAINANT

For Petitioner : M/S K.MANIKANDAN 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 :-

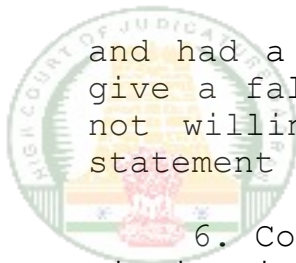
The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 02.07.2016 for the alleged offence punishable under Section 366(A) of I.P.C., in Crime No.261 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner kidnapped the minor daughter of the de-facto complainant and on her complaint, case has been registered against the petitioner for the aforesaid offences.

3. The case of the petitioner is that the petitioner and the victim girl were in love and the de-facto complainant arranged marriage for the victim girl with another person. Due to that, the victim girl instigated the petitioner to marry her and the petitioner and the de-facto complainant got married on 26.06.2016.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and A2 and A3 were already granted anticipatory bail.

5. The learned Government Advocate (Crl.side) submitted that the petitioner kidnapped the minor girl of the de-facto complainant



and had a physical contact with her and forced the victim girl to give a false statement. Now the victim girl is secured and she is not willing to go with her parents and she is in home and 161 statement also recorded.

6. Considering the allegations made against the petitioner, the victim girl is secured, statement of the victim girl is recorded and medical examination conducted and the petitioner is in judicial custody from 02.07.2016, 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 for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Usilampatti
- (ii) the petitioner shall report before the respondent police daily at 10.00 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].

7. 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/-

28/07/2016

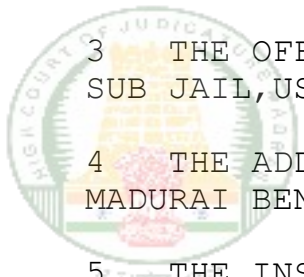
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
USILMAPATTI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
MADRURAI DISTRICT.



3 THE OFFICER INCHARGE
SUB JAIL, USILAMPATTI.

4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE INSPECTOR OF POLICE
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S K.MANIKANDAN Advocate SR.No. 40262

ORDER

IN

CRL OP (MD) No.12334 of 2016

Date :28/07/2016

AM/SK.SKN/SAR-I/28.07.2016/2P/7C