



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.13143 of 2016

T.KRISHANAN,

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KEELARAJAKULARAMAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.127 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU 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 :-

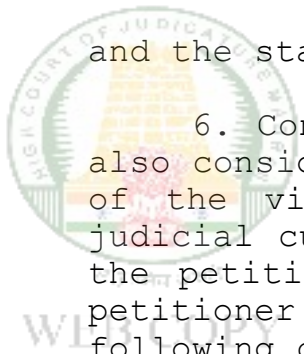
The petitioner is arrayed as accused, who was arrested and remanded to judicial custody on 18.05.2016 for the alleged offence punishable under Section Sections 366(A) of I.P.C., @ 366(A), 376 r/w. Section 5(L) r/w. Section 6 of Prevention of Children from Sexual Offences Act, 2012 and Section 3(2) (v) of SC/ST (POA) Amendment Ordinance Act, 2015 in Crime No.127 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 13.05.2016, the petitioner kidnapped the daughter of the de-facto complainant. On 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 are in love and the victim girl voluntarily went to the petitioner and the petitioner is in custody from 18.05.2016.

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.

5. The learned Government Advocate (Crl.side) submitted that the victim girl is secured and she is willing to go with her parents



and the statement of the victim girl is also recorded.

6. Considering the allegations made against the petitioner and also considering the fact that the victim girl is secured, statement of the victim girl is also recorded and the petitioner is in judicial custody from 18.05.2016, 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, Rajapalayam.
- (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

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT.
 - 3 THE OFFICER INCHARGE, SUB JAIL, SRIVILLIPUTHUR.
 - 4 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE INSPECTOR OF POLICE, KEELARAJAKULARAMAN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- +1. CC to M/S.G.MARIMUTHU Advocate SR.No.40290.

ORDER IN

CRL OP(MD) No.13143 of 2016

Date : 28/07/2016