



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

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13315 of 2016

SURESH,

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH THE SUB INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION, PUDUKOTTAI DISTRICT.
(CRIME NO.209 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S J.ANANDKUMAR 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 petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 13.07.2016 for the alleged offence punishable under Section 366(A) IPC, in Crime No.209 of 2016, on the file of the respondent police and hence, seeks bail.

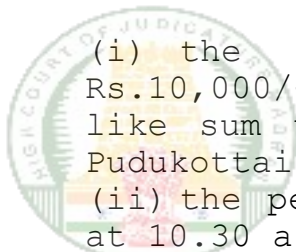
2.The case of the prosecution is that the petitioner kidnapped the minor daughter of the defacto complainant. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 13.07.2016.

4.The learned counsel for the petitioner submitted that the father of the defacto complainant filed H.C.P(MD)No.644 of 2016 and the victim girl appeared before this Court and stated that the defacto complainant arranged marriage of the victim girl against her wish with one Krishnan, who is her maternal uncle, therefore, she left the home voluntarily and went to Moonar.

5.The learned Government Advocate (Crl. side) submitted that the petitioner kidnapped the minor girl and on complaint, case has been registered against the petitioner.

6.Considering the facts and circumstances of the case and also considering the fact the victim girl has been secured and she appeared before this Court and stated that the defacto complainant arranged marriage against her wish, hence, she left the home voluntarily and the petitioner is in judicial custody from 13.07.2016 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 each for a like sum to the satisfaction of the learned Judicial Magistrate, Pudukottai.

(ii) the petitioner shall report before the respondent police daily at 10.30 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 conditions or not.

sd/-
29/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE SUB INSPECTOR OF POLICE, GANESH NAGAR POLICE STATION, PUDUKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S J.ANANDKUMAR Advocate SR.No. 40722
PS
JA-NGM-MP-SAR.III-29.07.2016-2P-7C

ORDER IN
CRL OP(MD) No.13315 of 2016
Date :29/07/2016