



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

Friday, the Fifth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13975 of 2016

R. PAVUNPANDI

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
CRIME NO. 310 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SIDDHARTHAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

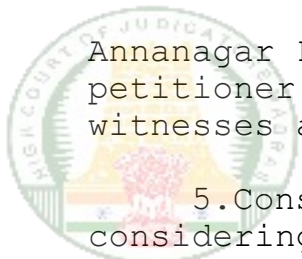
ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused No.1 was arrested and remanded to judicial custody on 05.06.2016 for the alleged offences punishable under **(*)Section 364(A) altered into 147, 364(A), 323, 354 and 120(b) of IPC** in Crime No.310 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the defacto complainant is the father of one Daisyrani and she borrowed a sum of Rs.2,00,000/- from one Johnsi and failed to return the same. Hence, the said Jhonsi approached the petitioner. The petitioner and his friends kidnapped Daisy Rani in a Maruthi Vehicle and threatened her with dire consequences and also misbehaved with her and also beaten her with stick. On complaint, a case has been registered for the above said offences.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner's name is not found in FIR and he is in judicial custody from 05.06.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the petitioner kidnapped the defacto complainant and misbehaved with her and now, the matter is pending before Inspector of Police,



Annanagar Police Station, Madurai. He further submitted that if the petitioner is enlarged on bail he will abscond and tamper the witnesses and hamper the investigation.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 05.06.2016, 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.VI, Madurai.**
- (ii) the petitioner shall appear before the Inspector of Police, Anna Nagar Police Station, Madurai 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/-
05/08/2016

/ TRUE COPY /

**(*) AMDENDED AS PER ORDER OF THIS HON'BLE
COURT MADE IN CRL.MP(MD)No. 6722/16 in
CRL OP(MD).No. 13975/16 dated 10.08.2016
BY VMVJ**

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



TO

(*) **THE JUDICIAL MAGISTRATE NO.VI, MADURAI.**

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

5 THE INSPECTOR OF POLICE, ANNA NAGAR POLICE STATION, MADURAI.

6 THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION.

+1. CC to M/S.M.SIDDHARTHAN Advocate SR.No.43348

ORDER

IN

CRL OP(MD) No.13975 of 2016

Date :05/08/2016

AM/AAL.MPA/SAR-I/05.08.2016/2P/7C

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