



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15432 of 2016

M. GOWTHAM @ GOWTHAMAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

MAYANOR TOWN POLICE STATION,

KARUR DISTRICT.

(CRIME NO. 266 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR 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 05.08.2016 for the alleged offences punishable under Sections 147, 148, 448, 363, 506(i) IPC and Section 3 of TNPPDL Act in Crime No.266 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 the employees of the defacto complainant for extorting money. On complaint, case has been registered for the above said offences.

3. The learned Senior Counsel appearing for the petitioner submitted that the petitioner is running a Travel Agency and used to lend a car on hire and on the date of occurrence, other accused persons took the car for going for a pilgrimage to Sathuragiri and there is no specific overt act against the petitioner and the petitioner is in judicial custody from 05.08.2016 and he prayed for grant of bail to the petitioner.

4. The learned Government Advocate submitted that if the petitioner is released on bail, he will tamper the evidence and hamper the investigation.



the petitioner that there is no specific overt act against the petitioner and considering the fact that the petitioner is in judicial custody from 05.08.2016, 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:

- WEB COPY
- (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, Kulithalai,
 - (ii) the petitioner shall report before the respondent police daily for a period of two weeks and thereafter, as and when required.
 - (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]**.

5.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/-

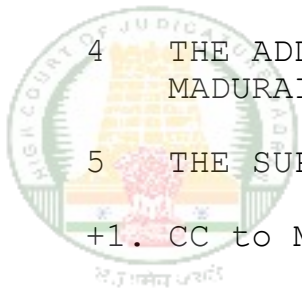
29/08/2016

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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, KULITHALAI, KARUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE, MAYANOR TOWN POLICE STATION,
KARUR DISTRICT.



4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.47906

CM

CSL/GSV-PM/SAR-I/29.08.2016:3P/7C

ORDER

IN

CRL OP (MD) No.15432 of 2016

Date :29/08/2016