



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

Monday, the Twenty Eighth day of November Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.22104 of 2016

1 MUTHU
2 KANNAN
3 WHITE @ SAGUL HAMEED
4 KARUPPASAMY

... PETITIONERS / ACCUSED Nos.1,4,6 & 9

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
NORTH POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT.
CRIME NO.602 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.SASIKUMAR, Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

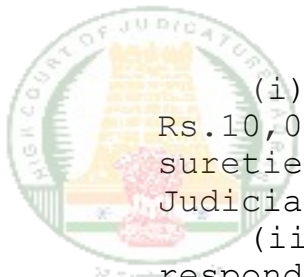
The petitioners / A1, A4, A6 and A9, who were arrested on 03.11.2016 for the offences punishable under Sections 366 & 366(A) IPC @ 120(b), 452, 364, 364(A), 365, 323, 384 and 502(ii) IPC in Crime No.602 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused kidnapped the de facto complainant's sister, son-in-law and minor daughter-in-law.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 03.11.2016 onwards.

4.The learned Government Advocate(Crl. Side) submitted that the victim were secured and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that the victim was secured, this Court is inclined to grant bail to the petitioners. Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:



(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Karaikudi;

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the 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]**.

sd/-

28/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER-IN-CHARGE, SUB-JAIL, PUDUKKOTTAI.
- 5 THE INSPECTOR OF POLICE, NORTH POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT.

+1. CC to M/S.C.SASIKUMAR, Advocate SR.No.73370.

ORDER IN
CRL OP(MD) No.22104 of 2016
Date :28/11/2016

msm/mpa/sar3/29.11.16/p2/7c