

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN

CRIMINAL ORIGINAL PETITION No.8973 of 2017

1 RAJAN @ ROSE
2 KAMATCHI
3 SURESH

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
POTHATTURPET POLICE STATION,
THIRUVALLUR DISTRICT,
CR.NO.255/2016.

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrayed as A2 to A4, were arrested on 20.03.2017 and remanded to judicial custody on 21.03.2017 for the alleged offences punishable under Sections 366(A), 376 (2) (N) of I.P.C. and Section 5(1), 6 of POSCO Act, 2012 in Crime No.255 of 2016 on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that one Raghu with the assistance of the petitioners kidnapped the minor girl Bhuvaneshwari on 09.09.2016. the petitioners are parents and brother of the above said Raghu.

3. Learned counsel appearing for the petitioners submit that the petitioners were arrested and they have been in custody from 21.03.2017 and that they have been falsely implicated in this case; that they are in no way connected with the alleged crime and therefore, they may be released on bail.

4. Learned Government Advocate [Crl. Side] opposed this petition contending that the investigation discloses the involvement of the petitioners in kidnapping the minor victim girl and investigation is not yet over.

5. The petitioners are parents and brother of the prime accused Raghu. They have been in custody from 21.03.2017. Considering the duration of custody, the fact that the petitioners are having a permanent residence and also the entire facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for Rs.10,000/- [Rupees Ten Thousand only] each with two sureties each for a like sum, to the satisfaction of the learned Judicial Magistrate No.II, Vellore and on further condition that the petitioners shall report before the respondent police on every Monday at 10.00 a.m., for a period of two months.

-sd/-
04/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
POTHATTURPET POLICE STATION,
THIRUVALLUR.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR NO.8270

CRL OP.8973/2017

Date :04/05/2017

MK:04/05/2017