



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

Thursday, the Twenty Fourth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11173 of 2017

RAMACHANDRAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION, DINDIGUL DISTRICT.
CRIME NO.203 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.BANUPRASATH Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner / Accused No.1 who was arrested on 10.08.2017 for the offences punishable under Section 366 of I.P.C and Section 4 of Tamil Nadu Prohibition Women Harassment Act, in Crime No.203 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl in this case is the younger daughter of A1.The victim girl is the complainant in this case. The accused are said to have kidnapped the victim girl for the purpose of marrying her to second accused and she was wrongfully restrained in a garden house near at Sirumalai, for five days and the victim girl escaped from them and lodged a complaint on 31.07.2017.

3.The learned counsel for the petitioner would submit that prior to the alleged occurrence the victim girl has lodged a complaint before the All Women Police Station, Dindigul and enquiry was conducted and the son of petitioner was warned by the police. The petitioner did not involve in the offence as alleged by the prosecution. The son of the petitioner and victim girl loved each other and they married on 27.04.2017 and were leading a happy married life. Due to differences of opinion between them, the defacto complainant went to her parents' house and is living. The son of the petitioner filed a petition under section 9 of the Hindu Marriage Act in H.M.O.P.No.153 of 2017 on the file of the Family Court, Dindigul for Restitution of Conjugal Rights.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally three accused in this case and the petitioner herein is arrayed as A1. A1 is the father of A2. A2 and A3 are absconding. The petitioner was arrested on 10.08.2017 and he is in judicial custody. The investigation is at initial stage.

5. Considering the facts and circumstances of the case and also considering the fact that A2 and A3 are still absconding, the investigation is at initial stage and the petitioner was only arrested on 10.08.2017, this Court is not inclined to grant bail to the petitioner at this stage and accordingly this Criminal Original Petition is dismissed.

sd/-
24/08/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION, DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 OFFICER IN CHARGE,
SUB JAIL, NILAKKOTTAI.

+1. CC to M/S.P.BANUPRASATH Advocate SR.No.29318

ORDER
IN
CRL OP(MD) No.11173 of 2017
Date :24/08/2017

MKV-PN-SAR 4/04.09.2017/2P-5C