



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

Friday, the Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1664 of 2018

M.PANDI

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CBCID, POLICE STATION, THENI.
CRIME NO.5/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.A.M.RAJA, Advocate
For Respondent : M/S.K.SUYAMBULINGA BHARTHI, Govt.Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

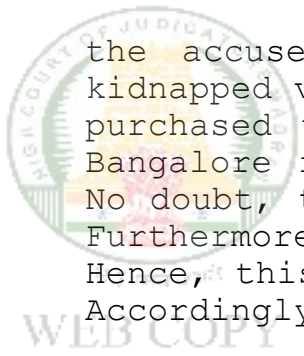
The petitioner/Accused No.2, who was arrested on 14.01.2018 for the offence under Section Boy Missing @ 363, 370(4) IPC and Sec.79, 81 of Juvenile Justice (Care and Protection of Children Act) 2015, in Crime No.5 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first petitioner kidnapped the 11 years boy for the purpose of selling. On believing the words of the accused no.1, the 2nd petitioner bought the child for Rs.5,000/- and thereafter, he took the child to Bangalore for utilising his service in small scale business. Hence, a case was registered against the petitioner and he was arrested and remanded to judicial custody.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that statement of the minor child clearly discloses that the present petitioner had not committed any offence as alleged.

4.The learned Government Advocate(Criminal Side) submitted that that investigation is still pending and the charge sheet is not yet filed.

5. The submissions made by the learned counsels appearing for either side are considered. The petitioner is in judicial custody from 14.01.2018. It is alleged that during the time of occurrence,



the accused no.1 who is the another one accused in this case, kidnapped victim and sold to the petitioner. This petitioner herein purchased the child for Rs.5,000/- and thereafter, he took him to Bangalore for using the service of child in small scale business. No doubt, the offence committed by the petitioner is a serious one. Furthermore, this type of offences has need thorough investigation. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/02/2018

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
CBCID, POLICE STATION, THENI.
2. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1664 of 2018
Date : 02/02/2018

MS/RR-CSL/SAR.3/15.02.2018/2P.4C