



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

Friday, the Sixteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.4216 of 2018

1 KUPPAKKAL

2 VALARMATHI @ CHANDRA

... PETITIONERS / ACCUSED Nos.5 & 6

Vs

THE STATE REPRESENTED BY
THE SUB-INSPECTOR OF POLICE
VELLIYANAI POLICE STATION,
KARUR DISTRICT,
IN CR.NO.64 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.JOEL PAUL ANTONY Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

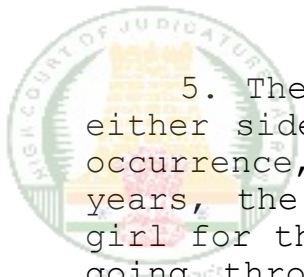
ORDER : The Court Made the following order :-

The petitioners/A5 and A6, who were arrested and remanded to judicial custody on 04.03.2018, for the offence punishable under Section 366 IPC., in Crime No.64 of 2018, on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners proposed the marriage of the defacto complainant's daughter, who is aged about 17 years, with one Pomman, at that time the defacto complainant refused for the marriage, due to which the petitioners and other accused kidnapped the defacto complainant's daughter for the purpose of conducting marriage to the said Pomman. Hence the case has been filed for the above said offences.

3. The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons, they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution. Hence, he prays for bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the victim girl is aged about 17 years and she is now secured. He further submitted that the investigation is in progress.



5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, after knowing that the victim girl is aged about 17 years, the petitioners and other four accused kidnapped the victim girl for the purpose of conducting marriage with one Pomman. Now, on going through the statement given by the victim girl, it would appear that the alleged offence was happened without the consent of the victim girl. So, considering the nature of offence committed by the petitioners, further custodial interrogation is necessary for completing the investigation. Hence, this Court is not inclined to grant bail to the petitioners. Hence, this Criminal Original Petition is dismissed.

sd/-
16/03/2018

/ TRUE COPY /

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

TO

- 1 THE SUB-INSPECTOR OF POLICE
VELLIYANAI POLICE STATION,
KARUR DISTRICT,
- 2 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
MARAKKADAI, TRICHY DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

pjl
JAM/02/04/2018/ CSL-RR / SAR 1 / 2p-4c

ORDER
IN
CRL OP(MD) No.4216 of 2018
Date :16/03/2018