



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

Thursday, the Sixth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21565 of 2018

BABU

... PETITIONER / ACCUSED NO.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERAVORANI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.137/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.M.KARUNAKARAN, Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

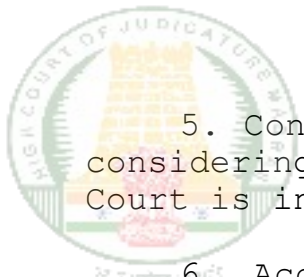
The petitioner was arrested and remanded to judicial custody since 07.10.2018, for the offences punishable under Sections 341, 342, 364A, 392, 397 and 506(ii) r/w 34 of I.P.C., in Crime No.137 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused said to have kidnapped the defacto complainant, while he was coming on his two wheeler and demanded Rs.1 Crore and further insisted to make a phone call to his house to arrange a sum of Rs.20,80,000/-and thereafter, the amount was settled. After receiving the said amount, they were threatened him with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner is a innocent person and that the petitioner has been falsely implicated in this case. He would further submit that the petitioner is implicated in this case, as per the confession of the co-accused. He would also submit that this Court by an order dated 13.11.2018 in Crl.O.P.(MD) No.20640 of 2018 had granted bail to the first Accused.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Heard the learned Government Advocate (Criminal Side).



5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, Thanjavur District and on further condition that:

[a] the petitioner shall appear before the respondent police on daily at 10.30 a.m., without fail, until further orders.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

06/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, PATTUKKOTTAI, THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE PERAVORANI POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K.M.KARUNAKARAN Advocate SR.No.22772

ORDER

IN

CRL OP(MD) No.21565 of 2018

Date :06/12/2018

MS/Vs/SAR-4/06.12.2018/2P.7C