



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

Tuesday, the Thirty First day of July Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.13482 of 2018

1 HARIHARAN
2 AYYAPPAN
3 MANIVASAGAM

... PETITIONERS/ACCUSED Nos.3 to 5

Vs

STATE REPRESENTED BY,
THE SUB-INSPECTOR OF POLICE
KOTTAIPATTINAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
IN CRIME NO.38/2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.GOKUL, Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 16.07.2018 for the offences punishable under Sections 147, 148, 364(A) and 506(ii) I.P.C, in Crime No.38 of 2018 on the file of the respondent police. They seek bail.

2.The learned Government Advocate(Crl.Side) for the respondent opposed the grant of bail by pointing out that it is a case of abduction for ransom. He fairly submitted that the petitioners are not having any previous case.

3.The learned counsel for the petitioners submitted that so called abducted person actually owed money to the first accused. In this regard the petitioner had tried to play a role of mediator. It is also not convincingly brought out as to how the victim was rescued. Therefore, this Court doubts it a false theory has been projected by the prosecution. Be that as it may, this observation is made only for the purpose of granting relief in this petition. It shall not be taken advantage of the petitioner in any other proceedings.



4. Taking note of the facts and circumstances, this Court is inclined to grant bail to the petitioners. Accordingly, the Petitioners are ordered to be released on bail, subject to the following conditions;

(i) the Petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi.

(ii) the Petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) the Petitioners shall not abscond.

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners are released on bail by the 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]**.

sd/-

31/07/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ARANTHANGI, PUDUKKOTTAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT

3 THE SUB-INSPECTOR OF POLICE
KOTTAIPATTINAM POLICE STATION, PUDUKKOTTAI DISTRICT.

4 THE OFFICER-IN-CHARGE, DISTRICT JAIL, PUDUKKOTTAI

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.K.GOKUL, Advocate SR.No.14478

ORDER

IN

CRL OP(MD) No.13482 of 2018

Date : 31/07/2018