



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

Monday, the Thirteenth day of August Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14093 of 2018

MUTHUKUMAR

... PETITIONER / ACCUSED NO.1

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
KOTTAIPATTINAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.38/2018

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.J.SIVARAM, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 15.07.2018 for the offences punishable under Sections 147, 148, 364(A) and 506(ii) of IPC. in Crime No.38 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner and the father of the de-facto complainant had business transactions in respect of selling fish. During the business, there is a loss to the tune of Rs.22,00,000/- (Rupees Twenty Two Lakhs Only) occurred by the father of the defacto complainant. Even then the de-facto complainant's father did not repay the sum to the petitioner. Therefore the petitioner and others kidnapped the de-facto complainant and demanded a sum of Rs.1,00,00,000/- (Rupees One Crore Only). Hence, the complaint.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4.The learned counsel for the petitioner would submit that there was a business transaction between the petitioner and the father of the de-facto complainant in which, the petitioner sustained and suffered huge loss. At the time of demanding money, the false case has been foisted against the petitioner and others. He would further submit that the petitioner did not involved any



previous case sofar. Hence, he prays for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also it is seen from the records that the petitioner was detained under the Act 14 of Tamil Nadu Goonda's Act on 24.07.2018. The detention order is quashed by this Court in H.C.P.(MD).No.1117 of 2018 by an order dated 03.08.2018 and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioner shall execute 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, Aranthangi, Pudukkottai District.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

sd/-

13/08/2018

/ 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.

3.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4.THE INSPECTOR OF POLICE,
KOTTAIPATTINAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S.J.SIVARAM, Advocate, SR.No.15438.

ORDER

IN

CRL OP(MD) No.14093 of 2018

Date :13/08/2018