

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10368 of 2020

M.Prabhu

... Petitioner

Vs.

State Rep. by

The Sub Inspector of Police

Gengavalli Police Station

Salem District

(Cr.No.315 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail pending investigation in Crime No.315 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(These cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 08.06.2020 for the offence punishable under Section 364-A IPC, in Crime No.315 of 2020, seeks bail.

2.The case of the prosecution as per the defacto complainant Sudha is that her husband along with one Ramesh of Rasipuram, Veeran of Ulundurpet, Murugesan and Jothivel of Attur was jointly doing real estate business. While so, on 05.06.2020, the husband of the defacto complainant along with the other persons left to Karur for business purpose and he did not return back to his house. On 06.06.2020, the defacto complainant received a call from the said Ramesh stating that her husband was kidnapped and they were demanding a sum of Rs.5 lakhs for his release and if the amount is not given, her husband will be done to the death. Based on the complaint, a case was registered in Crime No.315 of 2020.

3.The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the lodge and the accused had stayed in the lodge. Apart from that the petitioner is no way

connected with the alleged offence and he has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) vehemently opposed and stated that it is a case of abduction for ransom. He would submit that the petitioner along with other accused persons kidnapped the husband of the defacto complainant. Thereafter assaulted him and taken his nude photographs and sent it to the defacto complainant and demanded a sum of Rs.5 lakhs as ransom. He would further submit that the other accused persons are still absconding and the investigation is at the preliminary stage.

5.Taking into consideration the serious nature of offence and the investigation is at the preliminary stage and that the other co-accused are still absconding, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

14/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ATTUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB NSPECTOSR OF POLICE,
GENGAVALLI POLICE STATION,
SALEM DISTRICT

CC to M/S. K.BALASUBRAMANIAM Advocate on payment of necessary charges

CRL OP.10368/2020

Date :14/07/2020

RVR 03/09/2020