

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.12096 of 2020

1. Samuel
2. Raj kumar ... Petitioners

Vs.

State rep by
The Inspector of Police,
Gudiyatham Town Police station,
Vellore District.
Crime No.1132 of 2020 ... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in Crime No.1132 of 2020 on the file of the respondent police.

For Petitioners : Mr.S.Raja Ravi Varma

For Respondent : Mr.K.Prabakar
Additional Public Prosecutor

O R D E R

(This case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 363 IPC @ under sections 147, 342, 323, 386 & 506 (i) IPC, in Crime No.1132 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Dilshath Begam is that her husband was kidnapped by four unknown persons and the case was registered for the offences under Section 363 IPC. During the course of investigation, it came to light that the accused suspecting that the defacto complainant's husband was having huge money obtained through the iridium business had kidnapped him for ransom. Hence, the complaint.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the accused suspecting that the husband of the defacto complainant having several crores of money earned out of Iridium business had kidnapped the husband of the defacto complainant and illegally detained him and demanded Rupees Two Lakhs as ransom, thereafter, after seeing the police, the petitioners have escaped from the scene of occurrence. He would further submit that A1 had brought the other accused from Andhra Pradesh and they have carried out this operation. The Car which was used to kidnap the husband of the defacto complainant and the two wheeler of the victim were secured from A6. He also submitted that A1 and A6 have been arrested and that the identification of the petitioners have to be confirmed, by conducting Investigation parade and custodial interrogation is important. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and submissions of the learned Counsel and the fact that custodial interrogation is required, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
12/08/2020

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,
GUDIYATHAM, VELLORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
GUDIYATHAM TOWN POLICE STATION,
VELLORE DISTRICT.

CC to S.RAJA RAVI VARMA Advocate on payment of necessary charges

CRL OP.12096/2020

Date :12/08/2020