



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12944 of 2021

1.P.Ramesh
2.R.Viji
3.R.Soundhar
4.C.Mahindran @ Mahi

... Petitioners

Vs.

The State represented by
the Inspector of Police,
Jamunamarathur Police Station,
Vandavasi Taluk,
Thiruvannamalai District.
(Crime No.150 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in respect of Crime No.150 of 2021 on the file of the Inspector of Police, Jamunamarathur Police Station, Thiruvannamalai District, pending investigation.

For Petitioners : Mr.S.B.Viswanathan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners who were arrested and remanded to judicial custody on 11.07.2021 for the offence under Sections 147, 148, 294(b), 323, 341, 342, 363 and 324 of IPC subsequently altered under Section 363 of IPC into 364(A) of IPC in Crime No.150 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioners are alleged to have abducted the defacto complainant's wife.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution.



4.The learned Government Advocate (Criminal Side) submitted that investigation reveals that the defacto complainant had made false promise that he would secure job to the petitioners and had received money from the petitioners and thereafter neither secured job nor returned the money. Hence, the petitioners have abducted the defacto complainant's wife. He further submitted that the abducted woman has been secured.

5.Considering the facts and circumstances of the case and the period of incarceration, I am inclined to grant bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate's Court, Polur, Thiruvannamalai District and on further condition that:

(a)the sureties shall affix their photographs and left thumb 2impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned 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 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/07/2021

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,
POLUR, THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
JAMUNAMARATHUR POLICE STATION,
VANDAVASI TALUK,
THIRUVANNAMALAI DISTRICT.

4 THE OFFICER INCHARGE
SUB-JAIL, POLUR,
THIRUVANNAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary
charges S.R. NO. 7830

CRL OP.12944/2021

Date :28/07/2021

JPA 29/07/2021