



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.14873 of 2021

Selvi

... Petitioner

Vs.

The State rep by its  
Inspector of Police,  
Veppur Police Station,  
Cuddalore District.  
(Crime No.89 of 2021)

... Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail pertaining to Crime No.89 of 2021 pending investigation on the file of the respondent.

For Petitioner : Mr.A.G.Rajan

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

### ORDER

The petitioner who was arrested and remanded to judicial custody on 28.06.2021 for the offences under Section 366(A) of IPC in Crime No.89 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 namely Vijay kidnapped the minor victim girl for the purpose marrying her. Since the whereabouts of the said vijay are not known, the defacto complainant\brother of the victim girl has filed a complaint before the respondent\Police.

3.The learned counsel appearing for the petitioner would submit that the petitioner is Aunt of A1 and she has not committed any offence held by the prosecution and she is not in any way connected with the alleged offence and she has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that earlier the petitioner has filed Crl.O.P.No.11864 of 2021 before this Court and the same was dismissed on 26.07.2021, on the ground that the victim girl was not secured. Now the victim girl has been secured at Chennai.



5. Considering the facts and circumstances of the case and also taking note of the fact that the victim girl has been secured, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Viruthachalam**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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

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

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

27/08/2021

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,  
<https://hcservices.ecourts.gov.in/hcservices/>  
VIRUTHACHALAM.



2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
VEPPUR POLICE STATION,  
CUDDALORE DISTRICT.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, CUDDALORE.

+1 CC to M/S. A.G.RAJAN Advocate on payment of necessary  
charges SR.NO.9258

CRL OP.14873/2021

Date :27/08/2021

TA-31/08/2021