



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

WEB COPY

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21255 of 2021

Karthikeyan

.. Petitioner

Vs.

State rep. By
The Inspector of Police
Kangayam Police Station
Tiruppur District
(Crime No.1049 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.1049 of 2021, pending investigation on the file of the respondent.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.N.S.Suganthan
Government Advocate

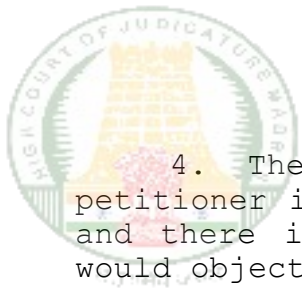
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 23.08.2021 for the offences under **Sections 341, 364, 506(ii) of IPC @ into Sections 212, 341, 364A, 414 and 506(ii) IPC**, in Crime No.1049 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.08.2021, a group of 7 persons abducted one Sivapradeep, who is the Managing Director of Maharaja Rice Mill Pvt. Ltd., Kangayam and his driver Sadam Hussain and received a sum of Rs.3 Crore from the father of the said Sivapradeep as ransom. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case since, he happens to be the friend of one of the accused and the petitioner has been suffering incarceration for more than 80 days from 23.08.2021. Even as per the prosecution, the petitioner has given only shelter to one of the accused. Hence he prays for grant of bail to the petitioner.



4. The learned Government Advocate would submit that the petitioner is arrayed as A9 and the ransom amount has been recovered and there is no previous case against the petitioner. However, he would object for grant of bail to the petitioner.

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5. Considering the fact that the investigation is almost completed and there is no previous case against the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Kangeyam**, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression 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 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/-
12/11/2021

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,
KANGEYAM, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
KANGEYAM POLICE STATION
TIRUPPUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges

CRL OP.21255/2021

Date :12/11/2021

TA-15/11/2021