



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03/02/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.1493 of 2021

Maruthu Malar Mannan

... Petitioner/Accused No.7

Vs

State Rep. by
The Inspector of Police,
Ammainayakkanur Police Station,
Dindigul District.
In Crime No.851 of 2020.

... Respondent/Complainant

For Petitioner : Mr.D.Ramesh Kumar, Advocate
for Mr.K.Anbarasan, Advocate

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.851 of 2020 on the file of the Respondent police.

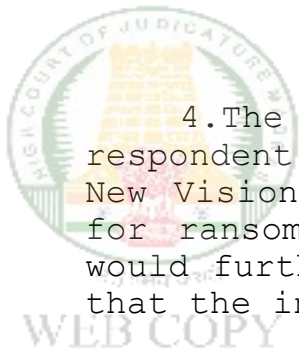
ORDER : The Court made the following order :-

The petitioner/Accused No.7, who was arrested and remanded to judicial custody on 01.12.2020 for the offence punishable under Sections 366 of IPC @ 364(A), 397 IPC, on the file respondent police, seeks bail.

2.The case of the prosecution is that the accused A1 to A5 said to have kidnapped the victim for ransom, that A-6 was informed by the prime accused to collect the amount of ransom from the family members of the victim and that the petitioner had accompanied with A-6, for collecting the amount.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case, that he is a law student studying in first year at Prist University in Sivagangai District and that the petitioner being a friend of A-6, without knowing anything, had just accompanied A-6.

<https://hcs.cempra.gov.in/hcs/ver/1.0.0/>



4.The learned Additional Public Prosecutor appearing for the respondent would submit that the *defacto* complainant is working in New Vision Land Promoters that A1 to A5 had kidnapped the victim for ransom and voluntarily caused hurt and committed robbery. He would further submit that the amount has already been recovered and that the investigation is almost completed.

5.Considering the facts and circumstances of the case and also the fact that the petitioner is in judicial custody from 01.12.2020, that the property has already been recovered and the investigation is almost completed as stated by the learned Additional Public Prosecutor and also the fact that the petitioner is not having any previous case for serious offence, this Court is inclined to grant bail to the petitioner subject to the following 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, Nilakottai, Dindigul District.

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/02/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI, DINDIGUL DISTRICT.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
AMMAINAYAKKANUR POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1493 of 2021
Date :03/02/2021

DAS
JM/VR/SAR I/03.02.2021/3P/6C