



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2021

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PRESENT

The Hon'ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.6647 of 2021

1. Vibin
2. Prakash
3. Pakavanantham
4. Ajay

... Petitioners/Accused No.2,3,5&6

Vs

The State Rep. by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
Crime No. 167 of 2021

... Respondent/Complainant

For Petitioners : Mr.Muduvailayaraja K,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.167 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A 2,3,5 and 6, who were arrested and remanded to judicial custody on 24.04.2021 for the offences punishable under Sections 451, 147, 365 @ 451, 147 and 366 of IPC in Crime No.167 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the daughter of the defacto complainant fell in love with the first accused and she voluntarily came out from her parental house and married the first accused. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged occurrence and they have been falsely implicated in this case. He would further



submit that A1 in this case was granted anticipatory bail by this Court in Crl.O.P(MD) No.6896 of 2021 on 03.06.2021. He would also submit that the petitioners are in judicial custody from 24.04.2021, hence they may be granted bail.

4.The learned Government Advocate(Crl.Side) would submit that there are totally nine accused in this case and the petitioners herein are arrayed as A2, 3,5 and 6. He would submit that the investigation is pending and the victim is also secured.

5.Considering the facts and circumstances of the case and also the fact that A1 was granted anticipatory bail by this Court and also the fact that the victim has been secured and also the period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail on executing their own bond for a sum of Rs.1,00,000/- (Rupees One lakh only) before the Jail Authority. The petitioners after their release shall surrender before the concerned Judicial Magistrate voluntarily on any working day within a period of one month from the date of resumption of regular work in the Subordinate Courts and execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai.

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 petitioners are directed to deposit a sum of **Rs.1,000/- (Rupees One Thousand only) each to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9** (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a period of two weeks without prejudice to their rights and contentions before the trial Court;

iii)the petitioners shall report before the respondent police as and when required for interrogation.

iv)the petitioners shall not tamper with evidence or witness.

v)the petitioners shall not abscond during trial.

vi)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].



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

sd/-
04/06/2021

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/ /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.

TO

1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
2. DO-THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
5. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.

COPY TO:-

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI-9

ORDER
IN
CRL OP(MD) No.6647 of 2021
Date :04/06/2021

AAV
TE/VR/SAR-I : 04/06/2021 : 3P/7C