



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13376 of 2021

G.Sivakumar ... Petitioner/Accused No.1

Vs

State rep. by,
The Inspector of Police,
Thallakulam (L&O) Police Station,
Madurai City,
Madurai District.
(Crime.No.760 of 2021). ... Respondent/Complainant

For Petitioner : Mr.R.Ganesan
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.760 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 herein, who was arrested on 04.07.2021 for the alleged offence under Sections 468, 471, 370(4), 370(5), 371 and 120B IPC and 80 and 81 of JJ Act, in Crime No.760 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is a social worker. The petitioner/accused No.1 along with Accused No.2 is running a trust in the name and style of Idhayam Arakkatalai Trust for the past 10 years. The defacto complainant had admitted the children of one Iswarya in that Trust, since she has no sufficient means for survival. On 20.06.2021, the said Iswarya was informed by the trust that her younger son was taken to hospital



30.06.2021, A2 informed the said Iswarya that her son died and the body was buried at Thathaneri crematorium. However, on the same day evening, A1 informed the defacto complainant that he handed over the child to another person. Therefore, the defacto complainant suspecting the activities of the said Trust, preferred a complaint. During the course of investigation, it was found that two children from the Trust were given in illegal adoption by the trustees. Further the accused created fabricated documents to strengthen their illegal activities. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the complainant by using his influence with respondent police had lodged the false complaint. The petitioner is a reputed person in the society and is doing social works for the society. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with A2, sold the children of Iswarya for huge money.

5.Considering the serious nature of offence and the specific overt act attributed against the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

sd/-
13/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 Inspector of Police,
Thallakulam (L&O) Police Station, Madurai City,
Madurai District.



2. The Superintendent, Central Prison, Madurai.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.13376 of 2021
Date : 13/09/2021

TR/SKN/SAR-III (17.09.2021) 3P 4C