



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty First day of January Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.1295 of 2022

1 AARTHI @ LALITHA
2 SOPPANA SUNDARI
3 DURGA
4 JEEVA

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
ORLEANPET POLICE STATION,
ORLEANPET, PONDICHERRY
(CRIME NO.159/2021)

[RESPONDENT]

For Petitioner : M/S.S.MADHUSUDANAN Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

PETITION FOR BAIL 439 Cr.P.C.

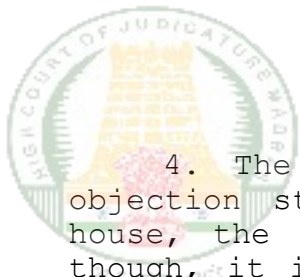
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 12.10.2021 for the offence under Sections 379 r/w 34 of IPC altered into 379, 370(4) of IPC r/w 34 of IPC, in Crime No.159 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that defacto complainant was standing near a bus stop. At that time two unknown persons came near her and later she came to know that she missed a sum of Rs.10,500/- from her purse.Hence,A1 and A2 were arrested and remanded to judicial custody. During enquiry, it was found that A3 and A4 had involved in a child kidnapping. Hence, the case was altered as stated above.

3. The learned counsel for the petitioners would submit that this is the second application for bail and the earlier application was dismissed by this Court in CrI.O.P.No.24290 of 2021 by order dated 14.12.2021. He would further submit that the alleged child was adopted by A3 and A4 from their relatives and since, there was no record, they have been falsely implicated in this case and that they have been suffering incarceration for more than 100 days from 12.10.2021. He would pray for grant of bail to the petitioners.



4. The learned Public Prosecutor (Pondicherry) raised strong objection stating that at the time of searching the petitioners' house, the respondent police found a child in the said house and though, it is stated that the child was adopted by the petitioners, they have no documents to prove the same. Further, the petitioners are belong to Andhra and that the investigation has not been completed.

5. Taking into consideration of the fact that the petitioners belong the Andhra and still the parents of the child has not been identified and that the investigation has not been completed, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

21/01/2022

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 SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUDUCHERRY

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUDUCHERRY

3 INSPECTOR OF POLICE
ORLEANPET POLICE STATION,
ORLEANPET, PONDICHERRY

4 THE PUBLIC PROSECUTOR, PUDUCHERRY

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

CRL OP.1295/2022

Date :21/01/2022

RVR 04/02/2022