



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5701 of 2022

SHIVA @ SHIVAPRASAD

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SHOOLAGIRI POLICE STATION,
HOSUR TALUK,
KRISHNAGIRI DISTRICT.
CR.NO.824 OF 2021.

[RESPONDENT]

For Petitioner : M/S. R.EZHILARASAN Advocate

For Respondent : Mrs.G.V.KASTHURI, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A7 is one of the accused in a case of kidnapping for ransom.

2. The learned counsel for the petitioner states that the alleged incident took place on 28.07.2020 for which the complaint was lodged only on 17.12.2021, after a lapse of more than one year and five months. Further, this petitioner was formally arrested, when he was confined in Bangalore Prison in connection with some other case.

3.However, the learned Additional Public Prosecutor would state that the defacto complainant, who is running a Crusher, was abducted by these petitioners and after receiving a ransom of Rs.80 lakhs, he was released. Thereafter, after confirming that the defacto complainant has not lodged any complaint, one of the abductors called him through whatsapp on 07.09.2021 and after ascertaining that he has not reported the matter to the police, again started demanding money. Hence the complaint was lodged before the respondent police on 17.12.2021. Based on the information, the police first arrested the



third accused and on his confession statement, the role of this petitioner came to light and hence, he was arrested on 29.12.2021. Further investigation disclosed that this petitioner has involved in a similar offence within the jurisdiction of Indira Nagar Police station, Bangalore and therefore, case in Cr.No.136 of 2021 under sections 120(B), 364(A), 302, 201 read with Section 149 of IPC was registered and he was detained. The learned Additional Public Prosecutor appearing for the respondent further states that four more accused persons are yet to be arrested and this petitioner, who hails from Karanataka, if released on bail, there is every possibility of jumping bail and tampering the investigation. Though the petitioner being in prison for nearly 83 days, yet the investigation has not been completed.

4. Considering the gravity of the crime and the role of this petitioner, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original petition for bail is dismissed.

-sd/-
21/03/2022

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 INSPECTOR OF POLICE,
SHOOLAGIRI POLICE STATION,
HOSUR TALUK,
KRISHNAGIRI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PARAPPANA AGRAHARAM,
BANGALORE.

+1 CC to M/S. R.EZHILARASAN Advocate on payment of necessary charges SR.NO.4253

CRL OP.5701/2022

Date :21/03/2022

TA-28/03/2022