



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8584 of 2022

1.Mani @ Manikandan
2.Nagesh

... Petitioners

Vs.

The State rep. by
The Inspector of Police,
Muthur Police Station,
Krishnagiri District.
(Crime No.99 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail pending investigation in Crime No.99 of 2022, on the file of the respondent Police.

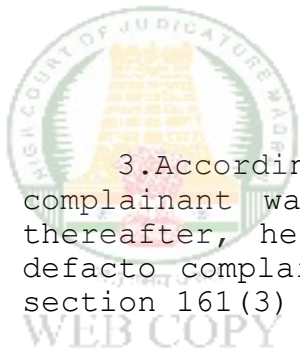
For Petitioners: Mr.M.P.Saravanan

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested for the offences punishable under Sections 365, 120(B), 364(A), 344, 34 of IPC in Crime No.99 of 2022, on the file of the respondent police, seek bail.

2. The petitioners were arrested on 15.03.2022 for the alleged offences under section 365 I.P.C. altered to Sections 120(B), 364(A), 344, 34 of IPC. According to the defacto complainant, her husband was abducted for ransom and demanded Rs.5,00,000/-. She deposited Rs.1,46,000/- in the account of her husband and the same was withdrawn by the accused persons using his ATM card.



3. According to the prosecution, the husband of the defacto complainant was released by the accused persons on 15.03.2022 and thereafter, he got admitted in the hospital. The statement of the defacto complainant and the victim were recorded by the police under section 161(3) of Cr.P.C.

3. Perusal of the statement of the defacto complainant and the victim gives conflicting version of the incident. Hence, this Court is inclined to grant bail to these petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Pochampalli;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners are directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, POCHAMPALLI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
MUTHUR POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.8584/2022

Date :19/04/2022

JPA 20/04/2022