

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.16845 of 2022

1.Sumathi
2.Dilli

... Petitioners

Vs.

State Rep.by The Inspector of Police,
Paradarami Police Station,
Vellore District.

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.50/2022 pending investigation on the file of the respondent.

For Petitioners : Mr.E.Kannadasan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 07.07.2022 for the offences punishable under Section Girl Missing @ Sections 363, 366(A) and 506(i) of IPC in crime No.50 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 25.03.2022 at about 04.00 a.m. de-facto complainant's daughter was found missing. Hence, the complaint.

3. The petitioners herein are arrayed as A2 and A3. Now, it is seen that the victim attains majority and she got married with A1.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., 07.07.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned J.M, Gudiatham, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
21/07/2022

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 JUDICIAL MAGISTRATE,
GUDIATHAM

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PARADARAMI POLICE STATION,
VELLORE DISTRICT

4 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, VELLORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to Mr.E.Kannadasan Advocate on payment of necessary charges
SR.NO.12000

CRL OP.16845/2022

Date :21/07/2022

JPA 21/07/2022