



WEB COPY



Crl.OP.No.18692 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

Crl.OP.No.18692 of 2022

Manickam

..Petitioner

Vs.

State Rep by:
Inspector of Police,
Kondalampatti Police Station,
Salem.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in (Crime No.345 of 2022 pending investigation on the file of the Inspector of Police, Kondalampatti Police Station) Salem.

For Petitioner : Mr.C.Ganesh Pandian

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2022 for the offence under Section 366 of IPC in crime



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No.345 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner along with other accused persons kidnapped the *de-facto* complainant's daughter while she was returning from college. Hence, the complaint.

3. There are totally three accused, in which the petitioner is arrayed as A1. The petitioner and the victim girl fell in love. Thereafter, the parents of the victim girl refused to give their daughter to the petitioner for his marriage. Therefore, the petitioner with the help of A2 and A3 kidnapped the victim girl. Thereafter, in the public, the car was waylaid and the victim girl was rescued. That apart, the petitioner was arrested and remanded to judicial custody on 08.07.2022.

4. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in



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future and on such undertaking, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the **Additional Mahila Court, Salem** 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 petitioner shall report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in future, at time of execution of bond.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Additional Mahila Court,
Salem.
- 2.The Inspector of Police,
Kondalampatti Police Station,
Salem.
- 3.Central Prison at Salem.
- 4.The Public Prosecutor,
High Court of Madras

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