



Crl.OP.No.21432 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.21432 of 2022

Ramesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kondalampatti Police Station,
Salem.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased 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.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2022 for the offences punishable under Section 366 of IPC, in Crime No.345 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that A1 in this case was having one sided love affair with the daughter of the defacto complainant and used to harass her. He has also sought for giving her marriage to him and it was refused by the defacto complainant. The further case is that on 08.07.2022, when the defacto complainant's daughter had gone to the college, the main accused along with his friends had kidnapped her in a car. Based on the complaint, a case has been registered in Crime No.345 of 2022 for the offence under Section 366 of IPC.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, since he happened to be a friend of A1 and there was love affair between A1 and the daughter of the defacto complainant and that they have eloped. The



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defacto complainant being aggrieved with the same, has given a false complaint against the accused. He would further submit that the girl has been secured and handed over to the defacto complainant. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner along with the other accused had kidnapped the daughter of the defacto complainant in a car. He would also submit that the girl has been secured and handed over to the defacto complainant. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel and that the victim girl has also been secured, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing



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a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**;



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

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To

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



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A.D.JAGADISH CHANDIRA., J.

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