



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 08/02/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.2088 of 2022

Paramaguru : Petitioner/Accused No.4

Vs.

The Inspector of Police,
Kulasekarapatinam Police Station,
Thoothukudi District.
(Crime No.304 of 2021)

: Respondent/Complainant

For Petitioner : Mr.P.Balamurugan, Advocate

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Criminal side)

PETITION FOR BAIL under Sec.439 of Cr.P.C

PRAYER :- For Bail in Crime No.304 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A4 was arrested on 28/11/2021 and remanded to judicial custody for the offences punishable under sections 342, 294(b), 323, 364-A, 379, 506(ii) and 109 IPC, in Crime No.304 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 27/11/2021, the petitioner along with the other accused unlawfully assembled and wrongfully restrained the de-facto complainant and confined him, abused with filthy language and kidnapped him for ransom and stolen a sum of Rs.8,000/- from his shirt pocket, attacked him and also made criminal intimidation against him.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

4.The only objection that has been raised by the learned Government Advocate (Criminal side) is that it is a case of



kidnapping for ransom. According to the prosecution, the de-facto complainant was kidnapped by A1 to A3 and stolen Rs.8,000/- from his pocket.

5.Now the learned counsel appearing for the petitioner would submit that it is a case of money transaction and seven accused persons deposited the amount in the company, which was owned by the de-facto complainant dealing with the sale of bike. When the company ran into loss, the accused persons demanded the deposited amount or for new bike. Only because of the above said motive, the present complaint has been given.

6.The earlier bail application that was filed by the petitioner before this court in Crl.OP(MD)No.83 of 2022 came to be dismissed on 11/01/2022 stating that he has kidnapped for ransom. The petitioner is facing other cases in Crime Nos.506 of 2014 and 114 of 2014 for the offence under section 379IPC. Apart from that, he is also involving in 307 IPC offence, in Crime No.178 of 2017 and another cases are nuisance cases. Citing these previous antecedents, the learned Government Advocate (Criminal side) has made a strong objection for releasing the petitioner on bail.

7.Considering the gravity of the offence, even though the petitioner is in custody from 28/11/2021, this court is not inclined to enlarge the petitioner on bail. If the petitioner is released on bail, there is every possibility of tampering the evidences.

8.In the result, this criminal original petition is **dismissed**.

sd/-
08/02/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE,
KULASEKARAPATINAM POLICE STATION,
THOOTHUKUDI DISTRICT.

2 THE SUPERINTENDENT, CENTRAL PRISON,

<https://hcservices.mca.gov.in/hcservices/>



3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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MS/JM/SAR-1/11.02.2022/3P.4C

ORDER

IN

CRL OP (MD) No.2088 of 2022

Date :08/02/2022