



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/05/2022
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) . No.9630 of 2022

Thangadurai @ Sakaya Thangad

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Courtallam Police Station,
Courtallam,
Tenkasi District
(Crime No. 184 of 2022).

... Respondent/Complainant

For Petitioner : Mr.PALANI VELAYUTHAM.S,
Advocate.

For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

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

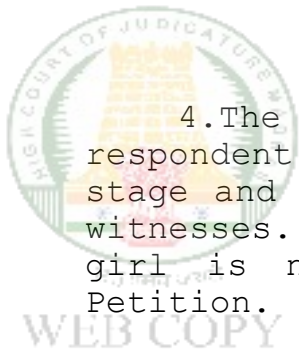
PRAYER :- For Bail in Crime No. 184 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner was arrested and remanded to Judicial Custody on 14.05.2022 for the offences punishable under Sections 147, 448, 342, 366, 294(b), 324 and 506(ii) IPC, in Crime No.184 of 2022 on the file of the respondent police. Hence, he seeks bail.

2.The case of the prosecution is that the victim and the first accused are close relative. The victim is none other than the first accused's sister's daughter. When the petitioner requested his sister and brother-in-law to solemnize the marriage between the petitioner and the victim, they refused. Hence, the petitioner joined hands with other accused trespassed into the house of his sister and kidnapped the victim. Hence, the present complaint.

3.The learned counsel for the petitioner submitted that the petitioner and the victim loved each other and when the petitioner asked permission for marriage, the parents of the victim refused to the same and the petitioner also dropped his proposal. The petitioner did not take away the victim girl from the custody of her legal guardian and the petitioner has been falsely implicated in this case. The other accused got anticipatory bail. Hence, he prays this Court to grant bail to the petitioner.



4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the investigation is at the initial stage and if the petitioner is released on bail, he may tamper the witnesses. He further submitted that the statement of the victim girl is not recorded. Hence, he prayed for dismissal of this Petition.

5.Taking note of the fact that the victim girl was not enquired and if the petitioner is released on bail, he may tamper the witnesses and the investigation is only at the initial stage, this Court is not inclined to grant bail to the petitioner and this Criminal Original Petition is dismissed. However, the respondent police is directed to record the statement of the victim girl within a period of two days from the date of receipt of a copy of this order.

sd/-

25/05/2022

/ TRUE COPY /

/ /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,
COURTALLAM POLICE STATION,
COURTALLAM, TENKASI DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.9630 of 2022

Date :25/05/2022

SA/PN/SAR.4/24.05.2022/2P/4C