



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

Date : 25/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13086 of 2022

Subramanian,

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District
(Crime No. 175 of 2022).

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 175 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 147, 148, 294 (b), 342, 364(A) and 506(ii) IPC in Crime No.175 of 2022 on the file of the respondent police.

2.The case of the prosecution in brief is as follows:-

3.The defacto complainant lodged a complaint stating that he was working as an employee in Mahasakthi Colours Company and apart from that, he is also acting as driver under one Mahesh for the vehicle bearing Reg.No.TN 22 DM 8232 and he was used to transport Gutka from Bangalore to Tamil Nadu.

4.On the date of occurrence, the defacto complainant transported Gutka to Rajapalayam and at that time, Arunkumar and others contacted and asked the defacto complainant to come along with them, so that they can have a talk about Gutka. He was taken to a lodge on 11.06.2012 at about 09.30 pm., He was confined there and

https://www.tn.gov.in/ demanded Rs.10,00,000/- as ransom stating that they have



kidnapped the complainant. He was also criminally intimidated. In the aforesaid occurrence, the case was registered in Crime No.175 of 2022 for the offences punishable under Sections 147, 148, 294(b), 342, 364(A) and 506(ii) IPC.

5. Seeking anticipatory bail, the 3rd accused has moved this petition on the ground that as per the allegation made in the First Information Report, no specific allegation has been attributed against the petitioner. According to him, the defacto complainant is doing illegal business and the 1st accused is his friend. During the aforesaid illegal transaction, money dispute arose between them and due to that only, a false complaint has been lodged by implicating this petitioner also.

6. Reading of the FIR shows that apart from the aforesaid Mahesh, other accused persons were also identified by him with their names and specific allegation has been made against this petitioner to the effect that he is also one of the aforesaid persons. Perusal of CD file also shows that in the name of this petitioner only, Room No.401 has been booked. It was booked on 11.06.2022 and that was vacated on 12.06.2022. So, the booking of the aforesaid room squarely matches with the aforesaid date of occurrence. So, the contention on the part of the petitioner that he is not involved in the aforesaid occurrence is not at all acceptable, because in the FIR itself, the room number, where he was confined and detained, has been clearly stated.

7. Since the material has been collected during the course of investigation to show the role of this petitioner, this Court is not inclined to grant bail to the petitioner, as the offences are grievous in nature kidnapping, confinement and demanding ransom amount, so, such nature of crime must be thoroughly investigated by the Investigation Officer. If the petitioner is released on bail, it may hamper the investigation.

8. This Criminal Original Petition deserves to be dismissed and accordingly, dismissed.

sd/-
25/07/2022

/ TRUE COPY /

/07/2022

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

MM

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



- TO
- 1 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
 - 2 THE OFFICER INCHARGE
SUB JAIL, NAGERCOIL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13086 of 2022
Date :25/07/2022

PKP/SVR/SAR-2/29.07.2022/3P/4C