



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD) . No.20528 of 2022

WEB COPY

Ramasamy

... Petitioner/6th Accused

Vs

The State rep.by
The Sub Inspector of Police,
Natham Police Station,
Natham, Dindigul District.
Crime No.392 of 2022.

... Respondent/Complainant

For Petitioner : M/s.SEKAR S, Advocate.
For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.392 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 07.11.2022 for the offences punishable under Section 366(A) IPC, in crime No.392 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 06.11.2022 at about 04.00 p.m., while the de-facto complainant's daughter, who is aged about 15 years along with her friends were walking near Karthi Thottam, the accused came in a Qualis Car bearing Registration No.TN-07-S-5783, kidnapped the de-facto complainant's daughter for compulsory marriage. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 07.11.2022, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the victim is a minor and the petitioner was tried to kidnap the minor girl and the statement of the minor girl was recorded under Section 164 of Cr.P.C. He would further submit that three witnesses have been examined and the investigation is still pending. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and also the facts that the



statement given by the minor girl under Section 164 of Cr. and three witnesses have been examined so far, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Natham, Dindigul District.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].

sd/-

21/11/2022

/ TRUE COPY /

21/11/2022

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

TO

1 THE JUDICIAL MAGISTRATE, NATHAM, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, DINDIGUL.

4 THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION, NATHAM, DINDIGUL DISTRICT.

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

+1. CC to M/S.SEKAR S Advocate SR.No.56215 (F)

ORDER IN

CRL OP(MD) No.20528 of 2022

Date :21/11/2022

SJI

SA/VR/SAR.2/21.11.2022/2P/7C

<https://www.mhc.tn.gov.in/judis>