



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/05/2023
PRESENT

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The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8803 of 2023

Navin S Patel,

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Courtallam Police Stataion,
Thenkasi District
(Crime No.24 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy Pandian.G,
Advocate.

For Intervenor : M/s.P.M.Vishnu Vardhanan
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.24 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ A1, who was arrested and remanded judicial custody on 29.04.2023 for the offences punishable under Sections 147, 294(b), 324, 427, 366, 506(ii), @ 147,294(b),324,427,366, 506(ii),212 and 120(b) of IPC, in Crime No. 24 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant viz., Vineeth is that he is working as a Software Engineer and there was a love affair between him and one Kuruthika Patel, who is the daughter of A1. Since he belongs to a different community, her family was against their love and thereby, he and the said Kuruthika Patel eloped and got married on 27.12.2022 at Nagercoil. Meanwhile, the first accused lodged a complaint regarding marriage of his daughter and thereby, the defacto complainant and his wife came to the Police station for enquiry. During enquiry, Kuruthika Patel had



informed that she is living with the defacto complainant. On 14.01.2023, when they went to the hospital, the first and second accused quarrelled with them. Therefore, the defacto complainant had lodged a complaint and an enquiry was conducted. On 25.01.2023, the defacto complainant, his wife, his father and his brother have come to the Police Station and attended the enquiry and returned to their home in his car bearing Registration No.TN 76 AE 2328. When the car was nearing to Elanji Alan Chips Shop at about 02.30 p.m., the accused persons came in a car bearing Registration No.TN 76 AC 6363, dashed the defacto complainant's car and caused damages to the left side windshield of the car, by an iron rod. Apprehending life threat, the defacto complainant and others went into the Ragavendra Timber Shop's office, where the accused persons followed them, abused and assaulted the defacto complainant's party and also kidnapped his wife/victim in their Car and fled away. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is none other than the father of the victim. He would further submit that the petitioner was taken to police custody and the custodial interrogation is also over, hence he seeks bail.

4. The learned counsel for the intervenor would submit that defacto complainant is none other than the husband of the victim. The victim girl is major aged about 23 years. She fell in love with the defacto complainant and got married and on her own she went along with the defacto complainant. Infact the parents of the victim girl filed a Habeus Corpus Petition before this Court in HCP(MD) No.148 of 2023 in which the victim girl was produced before this Court and she has stated that she is not willing to go with her parents and also denied the allegations levelled against the defacto complainant. Recording the said submission the said petition was closed on 16.02.2023, hence he objected to grant bail to the petitioner.

5.The learned Additional Public Prosecutor would submit that petitioner has not cooperated for enquiry and the victim even after receipt of summons did not appear before the respondent and cooperated for enquiry. Further they have also created fake videos that as if the marriage with the victim was performed with A7. Further some of the co-accused are yet to be secured and if the petitioner is released on bail he will abscond again, hence he objected to grant bail to the petitioner.

6.Taking into consideration the facts and circumstances of the case and also the gravity of offence, this Court is not inclined to grant bail to the petitioner.



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7. Hence the petition stands dismissed.

sd/-
17/05/2023

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/05/2023

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

AAV

TO

- 1 THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
THENKASI DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, THIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8803 of 2023
Date :17/05/2023

SA/MMS/SAR.2/18.05.2023/3P/4C