



No.42,1st Street,Canal,

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.14367 & 14555 of 2023

1. Mustafa
2. Vasanth

... Petitioners/ Accused Nos.2 & 5
in Crl.O.P.(MD).No.14367 of 2023

K.Keerthi

... Petitioners/ Accused No.3
in Crl.O.P.(MD).No.14555 of 2023

Vs.

State Rep.by
The Inspector of Police,
Manikandam Police Station,
Trichy District.
Crime No.110 of 2023.

... Respondent/Complainant
in both petitions

For Petitioners : M/s.Karunakaran.K.M, Advocate.
In Crl.O.P.(MD).No.14367 of 2023

For Petitioner : M/s.S.Kartik, Advocate.
In Crl.O.P.(MD).No.14555 of 2023

For Respondent : Mr.B.Nambiselvan,
In Both petitions Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.110 of 2023 on the file of the respondent police.

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



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COMMON ORDER : The Court made the following order :-

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The petitioners/ A2 & A5 and A3 herein, who were arrested on 27.06.2023 for the alleged offences under Sections 364(A), 395 r/w 397 of IPC and Section 25(1-B)(a) r/w. 3 of the Arms Act, in Crime No.110 of 2023 on the file of the respondent police, seek bail.

2.The case was registered on the basis of the complaint given by the defacto complainant stating that on 24.06.2023, she along with her husband came to her parental home at about 10.30 a.m. Thereafter, her husband went to his relative's home. At about 01.00 p.m. she tried to contact him through phone, but, if no avail. Again at 07.00 p.m., when she trying to contact him, there was no connection. She awaited till 26.06.2023. Thereafter, she lodged a complaint stating that her husband went missing and must be traced out.

3.On the basis of the above said complaint, case in Crime No.110 of 2023, has been registered under the caption Man Missing. During the course of investigation, it was found that the defacto complainant's husband namely Ramarajan was kidnapped by the accused persons, over a money transaction issue and at gun point some documents have been obtained under force. The above said involvement came to light. When investigation was undertaken by the special team they were informed that some suspicious persons are found near Indira Ganesan College Bus Stop. All



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were apprehended and on enquiry, they revealed their name as Rajesh, Mustafa, Keerthi, Manikandan, Vasanth and Iruthayaraj. They were brought to the Police Station. Along with the above said persons, the missing person namely Ramarajan was also found. During the course of enquiry, they revealed that because of the money dispute between the Ramarajan and the first accused namely Rajesh, the above said Rajesh engaged these co-accused persons for the purpose of committing kidnapping and forcibly obtaining of documents. In pursuance of the above said engagement, Ramarajan was kidnapped by the accused to various places, detained in more than one place and at gun point they obtained some documents. The arrested persons were remanded to custody and the gun that was used by the accused during the course of the above said Commission of offence was also recovered along with bullets.

4. Seeking bail, these two petitions have been filed by the accused Keerthi and Mustafa, on the ground that they did not have any motive to kidnap the above said Ramarajan. There was issue between the first accused and Ramarajan, in which, this petitioners have been wrongly implicated.

5. But perusal of CD file shows the active involvement of the petitioners. As stated above a gun has also been used by the petitioners for the purpose of threatening Ramarajan. Occurrence of this nature must be looked very seriously. I



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find absolutely, no reason to entertain these petitions at this stage. If they are released on bail, they may abscond or cause trouble to the above said Rajaraman.

6.Accordingly, these criminal original petitions are dismissed.

sd/-
17/08/2023

/ TRUE COPY /

/09/2023

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

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TO

1 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

2 THE INSPECTOR OF POLICE MANIKANDAM POLICE STATION,
TRICHY DISTRICT.

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

ORDER IN
CRL OP(MD). Nos.14367 & 14555 of 2023
Date :17/08/2023

RS/VR/SAR-(07.09.2023) 4P 4C
Madurai Bench of Madras High Court is issuing
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