



CRL OP(MD)No.3405 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.03.2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD)No.3405 of 2024

Sathiya Moorthy

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
K.K.Nagar Police Station,
Trichy.
(Crime No.32 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Ramesh Kumar, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.32 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / A1, who was arrested and remanded to judicial custody on 02.02.2024 for the alleged offence punishable under Sections 147, 366, 323 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.32 of 2024, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused were friends. The petitioner herein is the victim girl' uncle. Due to the affection on the



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victim girl, the accused persons kidnapped her for performing marriage with the petitioner herein. However, due to the non-cooperation of the victim girl, they have again dropped the victim girl nearby her house. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that already this Court granted anticipatory bail to the co-accused and hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that investigation is going on.

5.Considering the facts and circumstances of the case and also considering the fact that the co-accused has been granted anticipatory bail by this Court and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his 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, Additional Mahila Court, Tiruchirappalli and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass

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Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/03/2024

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04/03/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

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TO

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1 THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT,
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI.

3 THE INSPECTOR OF POLICE, K.K NAGAR POLICE STATION, TRICHY.

4 THE SUPERINTEDENT, CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.S.RAMESH KUMAR, Advocate (SR-2670[I] dated 04/03/2024)

ORDER

IN

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Date :04/03/2024

RS//SAR-(04.03.2024) 4P 7C

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