



CRL OP(MD). No.7594 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7594 of 2024

Karthi

... Petitioner/ 2nd Accused

Vs

The Inspector of Police,
Edayankottai Police Station,
Dindigul District.
(In Crime No.126 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.A.Naresh Prabu,Advocate

For Respondent : Mr.M.Sakthi Kumar

Government Advocate

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

PRAYER :-

For Bail in Crime No. 126 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / second accused, who was arrested and remanded to judicial custody on 28.04.2024, for the offence under Sections Woman missing case @ 365, 506(ii) and 376(i) of IPC in Crime No.126 of 2023 on the file of the respondent



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police, seeks bail.

2. The case of the prosecution is that the petitioner with the another accused kidnapped the defacto complainant's wife to Coimbatore and had physical relationship with her and dropped her in Ottanchathiram Bus Stand and fled away. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 28.04.2024. He further submits that the first accused has already been granted bail by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submits that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioner.



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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, Otanchathiram, Dindigul District and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall stay at Thanjavur and report before the Inspector of Police, Town Police Station, Thanjavur, daily at 10.30 a.m, until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness 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 is 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



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

sd/-
23/05/2024

/ TRUE COPY /

23/05/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM

TO

- 1 THE JUDICIAL MAGISTRATE,
OTTANCHATHIRAM, DINDIGUL DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
EDAYANKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, DINDIGUL
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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THE INSPECTOR OF POLICE
THANJAVUR TOWN POLICE STATION,
THANJAVUR.

ORDER
IN
CRL OP(MD) No.7594 of 2024
Date :23/05/2024

PKP/23.05.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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