

IN THE COURT OF VACATION SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Vacation Sessions Judge, Dindigul.**

Thursday, the 27th day of May 2021

CV CrI.M.P. No.06/2021

Chinnakkalai, 29/2021
S/o. Pictha Naiyakar

.. Petitioner/A3

/vs/

State through
Inspector of Police, Guzhiliamparai PS.
Cr. No. 108 /2021

.. Respondent/Complainant

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.L.Kathiravan, Advocate for the petitioner and of Thiru. R.Manoharan, Public Prosecutor for the state are on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed U/s. 439 Cr.P.C. Petitioner/A3 prays to enlarge him on bail for the offences punishable U/S. Girl Missing @ 366(A), 109 IPC and Section 9 and 11 of Prohibition of Child Marriage Act 2006 in Cr. No.108/2021 of the respondent police. The occurrence took place on 25.3.2021 and he was remanded on 19.4.2021.

The learned counsel for the petitioner/A3 stated that this is third petition, that there is no nexus between the petitioner and the alleged occurrence, that the petitioner has not committed any offence as alleged, that he has been falsely implicated in this case on the basis of suspicion only, that the petitioner is sole bread winner of his family, that nobody sustained injury during the alleged occurrence, that the petitioner has no previous case, that the investigation of the case might have been completed at this point of time, that the petitioner is a law abiding citizen, that since he has permanent abode, there is no chance for absconding, that the petitioner was remanded on 19.4.2021 and he is in custody for the past 39 days.

The learned Public Prosecutor for the State vehemently raised objection for bail by stating that on 25.3.2021, the petitioner/A3 and other accused kidnapped the defacto complainant's minor daughter, Santhiya aged about 14 years, in order to marry the 1st accused and thereafter, A1 tied *Thali* forcibly and that thereby they committed offences U/s. Girl Missing @ 366(A), 109 IPC and Section 9 and 11 of Prohibition of Child Marriage Act 2006.

.2.

Online submission of either side heard. Records perused. The case against the petitioner/A3 was registered U/S. Girl Missing @ 366(A), 109 IPC and Section 9 and 11 of Prohibition of Child Marriage Act 2006. No doubt, the petitioner's earlier petitioner were dismissed on 27.4.2021 and 13.5.2021. The learned Public Prosecutor stated that the victim girl was recovered and she was handed over to his parents. Considering the facts and circumstances of the case and also considering the incarceration and on considering the prevention measure of COVID-19 Pandemic and the urgent need and necessity to ensure social distancing, this Court inclines to grant bail to the petitioner/A3 with stringent condition. Bail is granted to the petitioner/A3 on strict compliance of the following conditions.

1. The petitioner/A3 is ordered to be released on bail on executing his own bond for a sum of Rs.1,000/- before Superintendent of Prison concerned.
2. The petitioner/A3 is directed to surrender before the learned Addl. District Munsif cum Judicial Magistrate, Vedasandur **in between the period from 19.7.2021 to 2.8.2021** and execute him own bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Magistrate concerned without fail, failing which the bail shall stands cancelled automatically.
3. The petitioner/A3 shall make himself available for interrogation by the police officer as and when required.
4. The petitioner/A3 shall not tamper with evidence or witness either during investigation or trial.
5. The petitioner/A3 shall not abscond either during investigation or trial.

Pronounced by me, this the 27th day of May 2021.

Sd/- M.K.Jamuna
Vacation Sessions Judge,
Dindigul

- Since this bail order is electronically generated, does not require signature and court seal.
- This order is available in E-Courts Official Web Site,
" https://districts.ecourts.gov.in/case_status/case_number"

Copy to

The Additional District Munsif-Cum-Judicial Magistrate, Vedasandur
The Public Prosecutor, Dindigul.

The Inspector of Police, Guzhiliamparai PS.,

To ensure social distancing, they are requested to
download the order from the official web site link.

Thiru.L.Kathiravan Advocate
for the petitioner.

The Superintendent, District Prison, Dindigul.