

CRL.O.P.No.13364 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 365, 352 and 506(i) IPC in Crime No.159 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that one Nagarasu is running travels and his friend viz., one Stalin introduced Senthilkumar for arranging a job to his brother Vijayakumar at Singapore. The said Nagarasu agreed to arrange a job for his brother and received a sum of Rs.1,28,000/- out of Rs.2,85,000/-. The said Nagarasu arranged Visa for his brother and asked the said Senthilkumar to pay the balance amount and he also agreed for the same. On 17.6.2016, the staff of the travel company namely Muruganantham and Thangamani were sent to collect the money and about 5 p.m., Senthilkumar along with his friends Ayyasamy, Thilagaraj and the petitioner informed the defacto complainant that his office staff were abducted by him and locked in the room and demanded the repayment of Rs.1,28,000/- which was already paid to him . Hence the complaint.

4. It is the case of the petitioner that he is innocent and he has been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) submitted that this petitioner along with other accused illegally abducted the staff of the defacto complainant and demanded for money.

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6. Considering the facts and circumstances of the case, this Court is of the view that custodial interrogation of the petitioner is not necessary. **Therefore, this Court is inclined to grant anticipatory bail to the petitioner.**

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Mannarkudi, subject to the following conditions:

(i) **the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

(iv) the petitioner shall not abscond either during investigation or trial.

[v] on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner released on bail by the 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]**.

04.07.2016

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