



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.11701 of 2021

A.Anandhan

...Petitioner

Vs.

State rep by

... Respondent

The Inspector of Police,
Barur Police Station,
Barur, Krishnagiri District.
Crime No.76 of 2021.

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the Petitioner herein on bail in the event of his arrest in Crime No. 76 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.Thamaraiselvan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 419, 364(A) of IPC, in Crime No.76 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons had kidnapped the victim for ransom and grabbed for a sum of Rs.2,50,000/- from the defacto complainant's son. Hence, the complaint.

3. This Court had already granted anticipatory bail to the petitioner dated 08.07.2021 on the ground that the amount was taken by A2. The facts remains that the entire amount was taken by A1. Hence, the matter was again posted for being mentioned.

4. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, the petitioner is ready to deposit the amount of Rs.1,25,000/- to the credit of the crime number and also conceded the same may be disbursed to the defacto complainant. However, the learned counsel submitted that before



disbursing the amount to the defacto complainant an affidavit of undertaking may be obtained from the defacto complainant stating that in the event of the petitioner succeeding the case, the amount of Rs.1,25,000/- shall be returned to him.

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5. Heard the learned Government Advocate (Crl.Side) appearing for the respondent police.

6. Considering the facts that this Court made absolute the anticipatory bail granted to the petitioner dated 08.07.2021 and the petitioner is permitted to deposit a sum of Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand Only) to the credit of Cr.No.76 of 2021 within a period of two weeks from the date of receipt of copy of this order. On such deposit being made, the learned Judicial Magistrate, Pochampalli, shall obtain an affidavit of undertaking from the defacto complainant stating that in the event of the petitioner succeeding the case, the amount of Rs.1,25,000/- deposited by the petitioner to the credit of Cr.No.76 of 2021 will be returned to the petitioner and after obtaining such affidavit of undertaking from the defacto complainant, shall disburse the said amount to the defacto complainant within a period of two weeks thereafter; if the petitioner has not deposit the amount within a period of two weeks, the bail granted by this Court dated 08.07.2021 shall stand automatically cancelled.

-sd/-

30/07/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
POCHAMPALLI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BARUR POLICE STATION,
BARUR, KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.THAMARAISELVAN Advocate on payment of necessary charges

CRL OP.11701/2021

Date :30/07/2021