



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13398 of 2022

SENTHIL @ SENTHILKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
KRP DAM POLICE STATION,
KRISHNAGIRI DISTRICT.
(CRIME NO.20 OF 2022)

[RESPONDENT]

For Petitioner : M/S.M.P.SARAVANAN Advocate

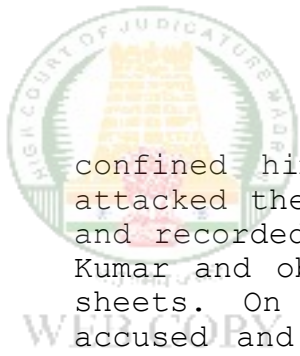
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under **Sections 147, 148, 294(b), 323, 324, 342, 355, 363, 307, 506(ii), 392 of IPC and Section 7, 20(1) of COTPA Act, 2003** in Crime No.20 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that in the year 2019, when the defacto complainant was in jail in a Gudca case, got acquaintance with one Kumar and after coming out on bail, on the advise of his wife and children, the defacto complainant has been doing Vessel selling business. While so, on 11.03.2022, at about 9 p.m., the defacto complainant got a phone call from one Viji who is the friend of the said Kumar who told him that one Mahindra Pick Up vehicle which was containing Gudca was found missing and thereby asked the defacto complainant to come to Kaveripattinam to enquire about the same. On the next day, the defacto complainant went to the said place and was talking to the said Viji. At that time, the said Kumar along with other accused abducted the defacto complainant by force and



confined him in the Poultry Farm of Kumar wherein, the accused attacked the defacto complainant with iron rod. They took videograph and recorded the statement of the defacto complainant as dictated by Kumar and obtained signatures in blank stamp papers and plain green sheets. On 14.03.2022, the defacto complainant escaped from the accused and admitted in the hospital and on receipt of intimation from the hospital, the respondent police registered the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and a false case has been foisted against the petitioner due to previous enmity between A1 and the petitioner. He would further submit that A1 to A13 were already arrested and released on bail. Hence, he would pray for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally 14 accused in this case and the petitioner is arrayed as A14. He would further submit that the other accused were arrested and released on bail. However, he vehemently opposed for the grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the co-accused were arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Krishnagiri**, on condition that 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] 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.

[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]**.

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

-sd/-
10/06/2022

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,
NO.II, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KRP DAM POLICE STATION,
KRISHNAGIRI DISTRICT.

+1 CC to M/S.M.P.SARAVANAN Advocate on payment of necessary charges SR.NO.8878

CRL OP.13398/2022

Date :10/06/2022

TA-20/06/2022