



Crl.O.P.No.15297 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 365, 364A, 342, 392, 307, 506(ii) and 149 of IPC in Crime No.153 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons kidnapped and also assaulted the victim/defacto complainant with sticks and also abused him in filthy language. Further, they demanded two lakhs ransom from the victim's friends. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case and he is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused persons kidnapped the victim and also assaulted him with sticks. Further, they demanded two lakhs ransom



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from the victim's friends. He would also submit that the petitioner has no previous case against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner and the victim/defacto complainant studying in the Sathyabama College and there was a quarrel between the students, the victim supported third year students, due to which, the petitioner along with other accused persons kidnapped the victim and demanded a sum of Rs.2,00,000/- from the victim's friends. Thereafter, when the victim and the other accused persons proceeded towards the hospital, the victim shouted and escaped from them.

6. Considering the facts and circumstances of the case and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, Allandur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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]**.



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

04.07.2022

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