



CrI.O.P.No.15967 of 2022

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WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 342, 363, 294(b), 323, 506(i) of IPC and Section 4(1)(aa) of Tamilnadu Prohibition Act in Crime No.231 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners herein had abducted, assaulted and threatened the *de-facto* complainant by demanding Rs.40,00,000/- which was liable to be paid by the *de-facto* complainant's brother. Upon the information given by the *de-facto* complainant through his cellphone, the respondent police secured him and recovered 50 litres of foreign liquor bottles from the place of occurrence. Hence, the complaint was registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they been falsely implicated in this



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case. On instructions, he would further submit that the each of the petitioners is

ready to deposit an amount of Rs.25,000/- to the Stanley Medical College and prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners abducted *de-facto* complainant by demanding Rs.40,00,000/- which was liable to be paid by the *de-facto* complainant's brother and while securing the *de-facto* complainant, the respondent police seized 50 litres of foreign liquor from the place of occurrence. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that each of the petitioners has come forward to deposit an amount of Rs.25,000/- to the Stanley Medical College, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, each of the petitioners is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) directly to the **Dean, Stanley Medical College, Chennai**, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned VII Metropolitan Magistrate, George Town, Chennai on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000 /- (Rupees Ten Thousand only) with two blood related 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 petitioners 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 each of the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) directly to the **Dean, Stanley Medical College, Chennai** to enable the Dean to use the aforesaid amount for the purpose of treating the alcohol influenced patients.



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[c] the petitioners shall report before the respondent police twice daily at 10.30 a.m and 5.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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

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