



WEB COPY



Crl.O.P.No.21703 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 365, 120(B), 364(A), 344 & 34 of IPC in Crime No.99 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused kidnapped the husband of the *de-facto* complainant and demanded ransom. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He alleged that the victim, who is the husband of the *de-facto* complainant borrowed money from several persons and failed to repay the amount to the creditors and a false complaint has been given by his wife, as if the petitioner have kidnapped her husband. It is a financial dispute between the parties, which has been exaggerated and a case of



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kidnap for ransom has been given. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that petitioner along with other accused kidnapped the husband of the *de-facto* complainant and demanded ransom from the *de-facto* complainant. There appears to be a financial dispute between the parties. He would further submit that there is a likelihood of the case being transferred from the file of the respondent police to the Pappiradipatti Police Station, Dharmapuri District.

5. Heard the learned counsels. Taking into consideration the facts and circumstances of the case, 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



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District Munsif Cum Judicial Magistrate, Pochampalli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 everyday at 10.30 a.m. and in the event of transfer of investigation from the file of the respondent police to the Pappiradipatti Police Station, Dharmapuri District, the petitioner shall report before the Inspector of Police, Pappiradipatti Police Station, Dharmapuri District, everyday at 10.30 a.m., until further orders.

[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.



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[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.

16.09.2022

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