



CrI.O.P.No.27171 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence under caption “Women Missing” in Crime No.357 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Prithiviraj is that his daughter, who was studying second year MBA in VIT College, Vellore did not return back home. On enquiry, he came to know that the petitioners along with one Sakthi (A1) had kidnapped his daughter. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent person and they have been falsely implicated in this case, since they happened to be known to A1. He would submit that there was a love affair between the daughter of the *de-facto* complainant and A1. Due to which, they had eloped from the home. He would also



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submit that the petitioners have nothing to do with the alleged offence.

Further, he would submit that the petitioners are ready and willing to furnish sufficient sureties and to abide by any stringent condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners have helped A1 to kidnapped the daughter of the *de-facto* complainant. He would submit that the victim has not been secured so far. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel and perused the materials available on record including the FIR. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, 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 Judicial Magistrate, Katpadi**, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, 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 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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



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[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.

11.11.2022

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