



Crl.O.P.No.27942 of 2022

**A.D.JAGADISH CHANDIRA,J.**

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 364A of IPC in Crime No.770 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Kamakshi is that, the accused had kidnapped her husband and demanded ransom of Rs.2.25 Crores from him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the defacto complainant's husband one Murali had induced the petitioners, based on which, petitioners had collected investments from several persons and handed over the same to the husband of the defacto complainant and thereby he cheated the petitioners. When the petitioners have demanded money back from the defacto complainant's husband, in order to evade the payment, he lodge a false complaint as against the petitioners, as if the petitioners have kidnapped and demanded ransom of Rs.2.25 crores.



Even as per the prosecution, victim is stated to have been secured and that only in order to evade payment, false complaint has been lodged.

Hence, he seeks for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that, on account of money dispute, petitioners had kidnapped the defacto complainant's husband and demanded ransom of Rs.2.25 crores. He would further submit that A4 was arrested and the victim has been secured. Hence, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering that the victim has been secured, this Court is inclined to grant anticipatory bail with certain conditions.

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-II, Kancheepuram** on condition that the petitioners 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 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 daily at 10.30.a.m., until further orders.

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

[d] the petitioners 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 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]**.

**A.D.JAGADISH CHANDIRA,J.**

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

**16.11.2022**

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