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Crl.O.P.No. 1021 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who were arrested and remanded to judicial custody on 17.11.2021 for the alleged offence under Sections 364 (A) of I.P.C. and it was subsequently altered into Sec.364(A), 147, 148, 365, 323, 324, 343, 347, 120(B) of I.P.C., in Crime No.119 of 2022 on the file of the respondent police, seeks bail.

2. The cause of prosecution is that on 12.12.2022, the petitioners along with other accused said to have kidnapped the victim Viswanathan when he was out of home at Pennagaram and his mobile number was also switched off, they have called the defacto complainant, who is wife of victim and informed her that they abducted her husband and demanded a sum of Rs.80 lakhs to free him. Hence, the complaint was registered against the petitioners.



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3. The learned counsel appearing for petitioners submitted that both the victim and petitioners have some business dealings, thereby, the victim took a sum of Rs.3 lakhs from the petitioners with an intention to cheat them. When the petitioners requested to return the amount, he refused to return the same and hence, in order to cheat the petitioners of their hard-earned money, the victim set up his wife and lodged the present complaint. He would submit that there is no specific overtact against them and they are innocent persons and they are no way connected with the offence and they have not committed any of offence as alleged by the respondent police. He would also submit that they have been falsely implicated in this case and they will abide by any condition that may be imposed by this court. He would also submit that the petitioners have been suffering incarceration from 17.12.2021. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 9 accused involved in this case and the petitioners are arrayed as A3, A4 and A5 and A7, A8 and A9 are still absconding. It is a case of kidnap for ransom and they abducted



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husband of defacto complainant and demanded a sum of Rs.80 lakhs from her. He would also submit that if they are released on bail, they would hamper the investigation and tamper the witnesses and the investigation is not yet completed and it is in preliminary stage. However, he would vehemently opposed to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioners, and also considering the fact that the investigation is in preliminary stage and considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

19.01.2023

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