

CrI.O.P.No.2133 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 147,341,294(b), 323,324,342, 355 and 506(1) of I.P.C in Crime No.425 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein kidnapped the defacto complainant and threatened him to settle the property belonging to him and also attacked him. Due to which the defacto complainant sustained injuries and admitted in the hospital as in-patient. Hence the case.

3.The learned counsel appearing for the petitioners would submit that he petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (CrI.Side) appearing for the respondent submitted that the petitioners threatened the defacto complainant to settle the property belonging to him and attacked him



severely and caused injuries to him. He further submits that the injured discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Katpadi, Vellore District**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first, second and fifth petitioners shall report before the respondent police on every Sunday for a period of six weeks and thereafter, appear before the trial Court on all hearing dates. The third and fourth petitioners shall appear before the respondent police as and when required for interrogation.

(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 anticipatory 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

01.02.2023

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