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Crl.O.P.No.5134 of 2023

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**T.V.THAMILSELVI, J.**

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **364 (A) of IPC** in Crime No.**16 of 2023**, seeks anticipatory bail.

2. The case of the prosecution is that on 19.01.2023, the defacto complainant had received a call from her husband's cell phone and he had informed that Devaraj's men have abducted him and dodged in an unknown place and they would send him alive immediately with a condition that if the defacto complainant would pay Rs.5,00,000/- or otherwise they threatened her to kill her husband. Later, the defacto complainant's husband had called her and asked her to visit the pawn shop in Kolathur to pledge her jewellery there and arranged the money immediately otherwise they would not leave him alive. Hence the complaint.

3. Heard the learned counsel for the petitioner and the learned



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Government advocate (Crl. Side).

5. Considering the above fact and circumstances of the case and also considering the fact that the co-accused have been released on bail, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one month and thereafter report before the Trial Court on every hearing.

[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.

[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]**.

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

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