



Crl.O.P.No.7825 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 342, 323, 392, 506(ii) IPC, in Crime No.47 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Santhosh is that he is doing share market business and that the defacto complainant and one Periya Karuppan are known to each other. On 17.01.2023, due to previous enmity over money transaction, the said Periya Karuppan, took the defacto complainant to his friend's room wherein, the Periya Karuppan along with this petitioners and another accused, robbed a sum of Rs.90,000/- from him through net banking and also a gold ring weighing 8 grams at knife point. Further, the accused attacked the defacto complainant and made him to give a statement as if, he is doing business by using girls and videographed the same and they had also taken the photographs of the defacto complainant which was



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taken along with his girlfriend and threatened him to give Rs.2 Crore by 30th or else, they would release the video and photographs of the defacto complainant to others. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that there was a dispute between the defacto complainant and A1 & A2. Since the petitioners happened to be the friends of A1 and A2, they have been unnecessarily roped into this case. He further submitted that A1 and A2 were arrested and later, they were enlarged on bail by the Court below. Further, the petitioners were called for the purpose of enquiry and during which, they also surrendered their mobile phones. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners/A3 and A4 along with other accused/A1 and A2 illegally confined the defacto complainant



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and received a sum of Rs.90,000/- through net banking, at knife point.

Further, they made the defacto complainant, to give a statement as if, he is doing business by using girls and videographed the same and also took his private photos and demanded a sum of Rs.2 Crores from him. He further submitted that A1 and A2 were arrested and subsequently, enlarged on bail by the Court below. Hence, he vehemently opposed for grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the fact that the main accused/A1 and A2 have been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-2, Alandur**, on condition that the petitioners shall execute separate bonds 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 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.



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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

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