



WEB COPY



Crl.O.P.No.10106 of 2023

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 294(b), 323, 365 and 506 (ii) of I.P.C. in Crime No.61 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute, there is a quarrel between the petitioners and the defacto complainant and that the petitioners have abducted one Sellamuthu and demanded money. Hence the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to



4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners are A1, 2, 4 and 5 and that petitioners abducted the defacto complainant and demanded money. However, he opposed for granting anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the victim has no injury, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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vga/rsi

[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]**;

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

11.05.2023

vga/rsi

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