



Crl.O.P.No.15672 of 2023

**Crl.O.P.No.15672 of 2023**

**G.CHANDRASEKHARAN. J.**

When the matter came up for hearing on 17.07.2023, this Court passed the following order:

*The learned counsel for the petitioner submitted that petitioner is an accused in Crime No.394 of 2023, registered for the offences under Sections 448 & 365 IPC. He further submitted that petitioner is an innocent and he has been falsely implicated in this case.*

*2.The learned Government Advocate (Crl.side) submitted that defacto complainant's son and petitioner's daughter fell in love with each other and eloped. Both of them stayed at the house of the defacto complainant. On 23.06.2023, at about 12 noon, petitioner had illegally trespassed into the house of the defacto complainant and forcibly taken her son and daughter-in-law.*

*3.In reply, the learned counsel for the petitioner submitted that in fact petitioner's wife gave a complaint alleging missing of her daughter.*



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*However, police has not registered the FIR. Petitioner is ready to file an affidavit of his daughter stating that she is staying with the petitioner and she is fine.*

2. Today, the learned counsel for the petitioner filed an affidavit of the petitioner's daughter Abinaya stating that she was taken by Santhosh by speaking sugar coated words and she escaped from him. Now, she is with her parents for the past 20 days.

3. In the light of the facts obtained from the submissions of the learned counsel for the parties and the affidavit of Abinaya, this Court is of the view that custodial interrogation of the petitioner is not necessary and this Court is inclined to grant anticipatory bail to the petitioner. Therefore, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Thiruvarur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** **with two sureties** each for a like sum to the satisfaction of the



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

**[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;**

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial



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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.

**26.07.2023**

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**G.CHANDRASEKHARAN. J.**

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26.07.2023