



Crl.O.P.No.22742 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.493 of 2023 registered by the respondent Police for the offence under Section 364A of IPC.

2.The learned counsel for the petitioner stated that the defacto complainant had borrowed a sum of Rs.33 lakhs from the petitioner and promised to repay the same within a period of 10 days. Within a period of 10 days, the petitioner has committed the offence under Section 364A IPC by detaining the defacto complainant in a horse shed.

3.It is stated by the learned Government Advocate that no injury has been caused to the defacto complainant and the defacto complainant has also been released.

4. Taking into consideration all these facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, 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, Gudiyatham, on condition that the petitioner shall execute a bond



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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 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., 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 Court himself as laid down by the



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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;

05.10.2023

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