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Crl.O.P.No.23517 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A3, A4 and A6 who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 364(A) IPC @ 364(A), 341 and 147 in Crime No.307 of 2023, seeks anticipatory bail.

2.It is stated that the defacto complainant had given a complaint that he had been kidnapped by the accused persons for ransom and therefore had transferred a sum of Rs.50,000/- to the account of A5.

3.The learned counsel for the petitioners submitted that the petitioners are innocent of the offence. He further submitted that A1 and A2 had been granted bail by a learned Single Judge of this Court by an order dated 18.08.2023 in Crl.O.P.No.17442 of 2023. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Taking into consideration the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.



CrI.O.P.No.23517 of 2023

5. Accordingly, **each one of the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.307 of 2023, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the learned Judicial Magistrate, Gudiyatham, may return that money to the defacto complainant** and the petitioners are 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, Gudiyatham, on condition that each one of 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond



CrI.O.P.No.23517 of 2023

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 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 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.

12.10.2023

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