



Crl.OP.No.24172 of 2023

Crl.O.P.No.24172 of 2023

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**C.V.KARTHIKEYAN,J.**

The petitioner/A5 seeks anticipatory bail in Crime No.373 of 2023 registered by the respondent police for the offences punishable under Sections 147, 148, 364A, 387, 342, 392, 506(2) of IPC, 1860 and Section 25(1)(a) of Arms Act, 1959.

2. There are totally six accused involved in this case. It is the case of the defacto complainant that around 11.00a.m, on 06.02.2023, the accused persons entered into the premises of IOCL Construction site at Minjur and had forcibly taken the defacto complainant to a Housing Board Flat at Vyasarpadi. There, the first accused had threatened the defacto complainant to pay mamool. Later, the defacto complainant escaped and came away. The accused then entered into a compromise with the defacto complainant. That was presented before a learned Single Judge of this Court and application was filed, seeking to quash the FIR.



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However, the learned Single Judge of this Court had not accepted that particular submission. But, at any rate much water has flown down as on date. A4 who stands on the same footing as that of the present petitioner has been granted anticipatory bail.

3. In view of that particular fact, without any further discussion on merits, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4. 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-II, Ponneri* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



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[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 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.

**09.11.2023**

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