



Crl.O.P.No.24999 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 147, 341, 364 (A), 506 (i) IPC, in Crime No.439 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) on behalf of the respondent.

3.It is the case of the prosecution that the husband of the defacto complainant was taken away by all the accused persons in a Car bearing registration No.TN 77 R 1462 when he was travelling between Koothapakkam to Vellavedu in Thiruvallur Highway road. It had been stated that he was threatened and the defacto complainant was demanded by the accused persons to pay jewels and cash for his release. Police had arrived and on that spot itself A1 to A5 were arrested. Petitioner somehow managed to escape. Previous anticipatory bail petition of the petitioner was dismissed by this Court on 25.09.2023.



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4.The learned counsel for the petitioner stated that petitioner is also a victim of the scam called IFS scam and had lost money. But, one further fact after the dismissal of the previous anticipatory bail application is that A1 to A5 were arrested and granted bail.

5.Taking that particular fact into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 No.II, Poonamallee**, on condition that the petitioner shall execute a 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily morning at 10.00 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;

03.11.2023

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