



WEB COPY



Crl.O.P.No.27599 of 2023

Crl.O.P.No.27599 of 2023

C.V.KARTHIKEYAN, J.

The petitioners/A1, A2 and A4 in Crime No.623 of 2023, registered under Section 364 A IPC, seeks anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondents.

3.It is stated that the husband of the de facto complainant was kidnapped by the petitioners herein and A3 threatened him demanding money. Later he was left out. He was doing milk business and money lending business. This Court had granted anticipatory bail to A3 in Crl.OP.No.27559 of 2023, by order dated 06.12.2023. However, it is stated that as against the 1st petitioner/A1 there are 8 previous cases and as against the 2nd petitioner/A2 there are 2 previous cases. Taking that particular antecedents into consideration, I am not inclined to grant anticipatory bail to the **1st and 2nd petitioners/A1 and A2, the petition stands dismissed.** Anticipatory bail is **granted to the 3rd petitioner/A4.**

4. Taking into consideration the facts and circumstances of the case,



CrI.O.P.No.27599 of 2023

this Court is inclined to grant anticipatory bail to the **3rd petitioner/A4** with certain conditions.

5.Accordingly, the **3rd petitioner/A4** 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 **Judicial Magistrate No.I, Namakkal**, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the **3rd petitioner/A4** to appear before the respondent police **every day at 10.30 a.m**, until further orders.

1st and 2nd petitioners/A1 and A2, the petition stands dismissed.



Crl.O.P.No.27599 of 2023

[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 petitioners 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;

08.12.2023

kp



WEB COPY



Crl.O.P.No.27599 of 2023

C.V.KARTHIKEYAN, J.

kp

Crl.O.P.No.27599 of 2023



WEB COPY



CrI.O.P.No.27599 of 2023

08.12.2023