



Crl.O.P.Nos.27921 and 27893 of 2023

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C.V.KARTHIKEYAN, J.

The Accused A6 has filed an application in Crl.O.P.No.27921 of 2023 and the Accused A5, A7 and A11 have filed application in Crl.O.P.No.27893 of 2023, both in the same Crime No.91 of 2023 registered by the respondent police for the offences under Sections 147, 448, 294(b), 506(i), 323 and 364(A) IPC, seek anticipatory bail.

2. This Court had considered the bail application of the Accused A1 to A3, A8 and A9 in Crl.O.P.No.26260 of 2023 and had granted bail by an order dated 20.11.2023.

3. It is the case of the prosecution that the defacto complainant had stated that her husband had received a sum of Rs.5,00,000/- from A1 for Rice Puller/Iridium business. Her husband failed to either give Iridium or the money. Owing to this fact, all the accused had taken him away in a Sumo car. The said car was intercepted and some of the accused had been taken into custody but these petitioners ran away.

4. Taking into consideration all the factors and also the fact that the



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1st accused had suffered loss of Rs.5,00,000/-, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions. Accordingly, 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 Judicial Magistrate, Gudalur, Nilgiris District**, on condition that the petitioners 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 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 petitioners shall not tamper with evidence or



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witness either during investigation or trial.

[d] the petitioners 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 petitioners 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.

13.12.2023

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