



Crl.OP.Nos.4483 and 5060 of 2024

Crl.O.P.Nos.4483 and 5060 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 has filed Crl.OP.No.5060 of 2024 and the petitioner/A2 has filed Crl.OP.No.4483 of 2024, both in Cr.No.623 of 2023 registered by the respondent police for the offences punishable under Section 364A of IPC seek anticipatory bail.

2. It is stated that the husband of the defacto complainant was kidnapped by the petitioners herein and A3 had threatened him by demanding money. Later, he was left out. He was doing milk business and money lending business. It is further stated that this Court had granted anticipatory bail to A3 in Crl.OP.No.27559 of 2023 vide order dated 06.12.2023. However, it is stated that as against the first petitioner/A1, there are eight previous cases and as against the second petitioner/A2, there are two previous cases.

3. The first application seeking anticipatory bail was dismissed on 08.12.2023 in Crl.OP.No.27599 of 2023 and the second application was



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dismissed on 29.01.2024 in Crl.OP.Nos.762 and 765 of 2024. As on this date, investigation would have progressed to a substantial extent.

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4. Taking that factor into consideration as a change in circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5. 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 **learned Judicial Magistrate-1, Namakkal** on condition that each of the petitioners shall execute separate bonds 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:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or 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.

29.02.2024

Vv

C.V.KARTHIKEYAN,J.



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