



Crl.O.P.Nos.4820 & 4825 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

**Crl.OP.Nos.4820 & 4825 of 2024**

K.Gunasekaran @ Palanisamy @ Palanikandasamy

...Petitioner in Crl.O.P.No.4820 of 2024

1.R.Ruban

2.K.Angalaeswaran

...Petitioners in Crl.O.P.No.4825 of 2024

Vs.

State rep. by  
The Inspector of Police,  
Mangalam Police Station,  
Tiruppur.  
(Crime No.34 of 2024)

...Respondent in both Crl.O.Ps

**COMMON PRAYER:** Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in FIR in Crime No.34 of 2024 on the file of the respondent police.

For Petitioners  
in both Crl.O.Ps : M/s.J.Franklin

For Respondent : Mr.L.Baskaran  
in both Crl.O.Ps Government Advocate (Crl.Side)



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**COMMON ORDER**

The 1<sup>st</sup> accused has filed Crl.O.P.No.4820 of 2024 and the 2<sup>nd</sup> and 3<sup>rd</sup> accused have filed Crl.O.P.No.4825 of 2024, both in Crime No.34 of 2024, registered by the respondent for the offences under Sections 347 and 365 of IPC, seek bail. They were remanded to judicial custody on 30.01.2024.

2.It is stated that one of the sons of the defacto complainant was a subscriber in Sivam Chits at Karur. He had taken a chit for a sum of Rs.3,25,000/- and had failed to repay the monthly subscription. There was a due which accumulated and the accused persons are said to have abducted his brother necessitating lodging of the complaint and registration of the FIR. The defacto complainant had telephoned the police control number '100' and thereafter, the victim was secured.

3.The matter was adjourned on one occasion to get the status about A4 to A6 who are absconding. They are still absconding.

4.But however, taking into consideration the period of the incarceration of these petitioners and the fact that no injury had been caused and also the further fact that no amount has been given to the accused persons, this Court is inclined to grant bail to the petitioners subject to the following conditions.



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5. Accordingly, the petitioners are ordered to be released on bail on condition to 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 Judicial Magistrate No.IV, Tiruppur and on further conditions that:

[a] 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 abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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.



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To

- 1.The Judicial Magistrate No.IV, Tiruppur.
- 2.The Inspector of Police,  
Mangalam Police Station,  
Tiruppur
- 3.The District Jail, Tiruppur.
- 4.The Public Prosecutor, Madras High Court.

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

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