



Crl.O.P.No.5045 of 2024

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 365, 342, 392, 506(ii) IPC in Crime No.85 of 2024, seek anticipatory bail.

2.The case of the prosecution is that A1 to A3 had abducted and caused injury to the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the properties have been recovered. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (crl.side) appearing for A1 came in contact with the defacto complainant regarding pledging of a car belonging to one Nagaraj, inturn, the defacto complainant and his friend Venkatesan brought A1 to one Gopal, who is the financier and gave Rs.1,00,000/- initially and then Rs.1,50,000/- through gpay on the next day. Thereafter, to return the debt, A1 had approached the defacto complainant to redeem the car but the said Gopal stated that the car had been put to further pledge to some other person. Further, the said Gopal



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went abroad and could not return back the car. Due to which, the accused persons abducted the defacto complainant and caused injury to him. He further stated that the defacto complainant had given 5 sovereigns of gold jewels for that money. He also stated that 5 sovereigns of gold had been recovered and original promissory notes had also been recovered.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Taking into consideration the facts of the case and the submissions made by the learned Counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

7.Accordingly, the petitioners are directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each to the credit of Crime No.85 of 2024 within a period of two weeks from the date of receipt of a copy of this order** and on such receipt and receipt of proof of payment, the petitioners are is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from



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the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Chengalpattu, on condition that petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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 station on every Saturday at 10.30 a.m., for a period of three months;

(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



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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 SCW5560]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

10.04.2024

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