



Crl.O.P.No.12457 of 2024

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C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 324 & 506(ii) of IPC and Section 92 of the Rights of persons with Disabilities Act, 2016 in Crime No.137 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 22.04.2024, the petitioner is said to have abducted the defacto complainant's son who is a disabled person. The petitioner is the First Accused in Crime No.137 of 2024.

3. The learned counsel for the petitioner would submit that the second accused has obtained an order of Anticipatory bail from this Court in Crl.O.P.No.10911 of 2024 on 30.04.2024. Hence, he prayed for granting Anticipatory bail to the petitioner as well.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent and perused the materials available on record.



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5. Considering the nature and involvement of the petitioner in the alleged offence, this Court is inclined to grant Anticipatory Bail subject to a condition that the petitioner shall donate a sum of Rs.5,000/- (Rupees Five Thousand only) to the recognized and registered Orphanage in Salem District along with other conditions stipulated hereunder.

6. Accordingly, the petitioner is directed to donate a sum of Rs.5,000/- (Rupees Five thousand only) to any registered Orphanage at Salem District and on production of proof for the same, the petitioner 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 learned Judicial Magistrate No.I, Mettur, 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



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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 petitioner shall report before the respondent Police as and when required for interrogation;

[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 petitioner 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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