



Crl.O.P.No.17029 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 342, 323, 363 and 506(ii) of IPC r/w under Section 25(1-A) of Arms Act, in Crime No.85 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated, as it is alleged that the defacto complainant gave money to the petitioners and when he demanded, the petitioner and others kidnapped him in a car and threatened him with gun. He further submitted that the petitioner was not present at the scene of occurrence. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally four accused in this case and the petitioner herein is ranked as A3. He further submitted that the defacto complainant supplied 7 lakh Kalingar Covid kits worth about



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Rs.19,41,00,000/- to the accused. After receiving the kits, they paid Rs.15,88,47,000/- and thereafter, they failed to repay the balance amount. When the defacto complainant demanded the balance amount, the accused kidnapped him in a car, assaulted and threatened him by showing a gun. He further submitted that at the time of kidnapping, the petitioner was present and subsequently absconded and there was no recovery from the petitioner. He further submitted that the investigation in this case is almost completed and the final report has not yet been filed. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned XIII Metropolitan Magistrate, Egmore, Chennai***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, (out of which, one surety must be a blood related surety) for



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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 and on further condition that:

(a) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.85 of 2024, before the concerned Court, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, thereafter Look Out Circular is ordered to be cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police on every alternate days at 10.30 a.m., for a period of three months and thereafter as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

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[f] 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 has been imposed and the petitioner is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

22.07.2024

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