



Crl.O.P.No.30307 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.648 of 2024 registered for the offence punishable under Section 140(3) of BNS, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, the petitioner along with other accused abducted him in a Omni van and abused him with filthy language and demanded a ransom of Rs. 1 Crore for releasing him. Later, he jumped out from the van and ran away. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the petitioner and the defacto complainant are known to each other for long years. He would submit that the defacto complainant had borrowed a sum of Rs.80 lakhs from the petitioner for running a business and thereafter, he failed to repay the amount. He would submit that settlement talks were going on and during such time, the defacto complainant has given a false complainant, as if, the petitioner had kidnapped and demanded the ransom. He would further submit that the petitioner is ready to abide by any stringent



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condition that may be imposed by this Court.

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4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, is that, the petitioner along with other accused abducted the defacto complainant in a Omni van and demanded a ransom of Rs.1 Crore. Later, the defacto complainant escaped from the van. He would further submit that the petitioner has no previous case.

5. The learned counsel appearing for the intervenor would submit that on 21.11.2024, at about 8.00 p.m, when the defacto complainant went to buy a food for his family members in a two wheeler, at that time, the 1st petitioner waylaid, abused him with filthy language and demanded to give Rs.1 Crore. Thereafter, other accused tied his hands and abducted him into a Omni Van. He would further submit that, the defacto complainant managed and escaped from the van.

6. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police, the learned counsel for the intervenor and perused the materials available on record, this



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court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, 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, Omalur**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 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 his Aadhar card or Bank pass Book to ensure their identity;

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

[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;



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[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 269 of B.N.S.

10.12.2024

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