



in Crl.O.P(MD).No.7928 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.07.2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). Nos.7928 and 7929 and 2024

1.Baskar

2.Paramesh @ Paramakrishnan ... Petitioners/ Accused No.4 & 5
in Crl.O.P(MD).No.7928 of 2024

Esakkimuthu ...Petitioner / Accused No.2
in Crl.O.P(MD).No.7929 of 2024

Vs

The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District
(Crime No.177 of 2024)

... Respondent/ Complainant
in both cases

For Petitioner : Mr.Aravinthan
in Crl.O.P.No.7928/24

For Petitioner : Mr.K.Sivabalan
in Crl.O.P.No.7929/24

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (inboth cases)



in CrI.O.P(MD).No.7928 of 2024

WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

COMMON PRAYER :-

For Anticipatory Bail in Crime No.177 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 406, 417, 420, 342, 387 and 506(ii) IPC in Crime No.177 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have abducted the defacto complainant and his paternal uncle and demanded a sum of Rs.15,00,000/- to release them and that the defacto complainant has transferred the said amount and thereafter, they were released by them. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners herein have wrongly roped in this case and they are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that the

<https://www.mhc.tn.gov.in/judis>



in CrI.O.P(MD).No.7928 of 2024

petitioners have kidnapped the defacto complainant and his paternal uncle and demanded a sum of Rs.15,00,000/- to release them. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the nature of the offence alleged, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are directed to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) each to the credit of Crime No.177 of 2024 before the learned Judicial Magistrate, Valliyoor without prejudice to their rights and contentions before the trial Court and produce the receipt before the trial Court.

7.On production of such receipt, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor on condition that the petitioners shall execute a 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 learned Magistrate concerned and on further conditions that:

a)the petitioners and the sureties shall affix their photographs and left thumb



in Crl.O.P(MD).No.7928 of 2024

WEB COPY

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 am for a period of three weeks and thereafter, as and when required for interrogation;

(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 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]; and;

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

sd/-
15/07/2024

/ TRUE COPY /

/08/2024

Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

<https://www.mhc.tn.gov.in/judis>



in Crl.O.P(MD).No.7928 of 2024

TO

1. THE JUDICIAL MAGISTRATE, VALLIYOOR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3. THE INSPECTOR OF POLICE,
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-8039[I] dated 16/07/2024)

+1 cc MR.K.SIVABALAN, Advocate SR No.8041 dated 16.07.2024

ORDER
IN

CRL OP(MD). Nos.7928 and 7929 and 2024

Date :15/07/2024

RK/GS (31/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023