



CrI.O.P.No.17598 of 2021

CrI.O.P.No.17598 of 2021

WEB C **M.DHANDAPANI,J.**

The petitioners who apprehend arrest for the alleged offence under Sections 341,294(b) and 506(ii) of IPC in Crime No.813 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant while searching her life partner the first petitioner contacted her and developed relationship thereby the first petitioner promised to marry her. Believing the sugar coated words of the first petitioner the defacto complainant consented to have sexual relationship with the first petitioner and also shared nude photos of her. Thereafter the petitioner refused to marry her, hence the defacto complainant went to lodge a complaint before the Deputy Superintendent of Police, Cuddalore at that time, the first petitioner and the second and third petitioners who are the parents of the first petitioner waylaid her and abused her and also threatened her with dire consequences. Hence the law enforcing agency registered a case against the petitioners.



Crl.O.P.No.17598 of 2021

3.The learned counsel appearing for the petitioners would submit that the first petitioner and the defacto complainant fell in love with each other. That apart the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that earlier the defacto complainant filed a complaint before the respondent police in Crime No.6 of 2021 and anticipatory bail was also granted to the first petitioner in Crl.O.P.No.12445 of 2021 dated 19.07.2021. Hence, they pray for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the first petitioner threatened the defacto complainant that as he is working in Sun TV as a reporter, he will publish the nude photos in the social media and threatened her not to lodge any complaint against the petitioners before the Deputy Superintendent of Police. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts of the case and the allegation levelled against the first petitioner, this Court is not inclined to grant anticipatory bail to the first



CrI.O.P.No.17598 of 2021

petitioner and accordingly this petition is dismissed with regard to the first petitioner and no serious allegations was made against A2/ Kalavathy and A3/Arun Kumar, this Court is inclined to grant anticipatory bail subject to certain conditions

6. Accordingly, the A2/ Kalavathy and A3/Arun Kumar, 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 Court-II, Chidambaram*** on condition that the petitioners 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 and on further condition that:

(a) the second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar 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;

(b) the second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when



CrI.O.P.No.17598 of 2021

required for interrogation.

WEB COPY

(c) the second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar shall not tamper with evidence or witness either during investigation or trial;

(d) the second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar 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 second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

27.09.2021

smn



WEB COPY



Crl.O.P.No.17598 of 2021

M.DHANDAPANI,J.

smn

Crl.O.P.No.17598 of 2021

27.09.2021



Crl.O.P.No.17598 of 2021

Crl.O.P.No.17598 of 2021

M.DHANDAPANI,J.

The matter is listed today under the caption 'for being mentioned' at the instance of the learned counsel appearing for the petitioner.

2.The learned counsel appearing for the petitioner would submit that this Court while granting anticipatory bail to the petitioners 2 and 3 directed the second petitioner to appear before the respondent police as and when required for interrogation, however, in the order dated 27.09.2021 made in Crl.O.P.No.17598 of 2021, inadvertently it has been typed directing the second petitioner to appear before the respondent police for a period of two weeks and thereafter as and when required for interrogation. Accordingly, he prayed for appropriate orders. The learned counsel further prayed this Court to grant a further period of two weeks time for the petitioners 2 and 3 to comply with the order dated 27.09.2021 made in Crl.O.P.No.17598 of 2021.

3.In view of the above, the relevant portion of paragraph no.6 of the order dated 27.09.2021 made in Crl.O.P.No.17598 of 2021, is to be read as follows:

"6..... within a period of



WEB COPY



CrI.O.P.No.17598 of 2021

four weeks from the date of receipt

.....

instead of

*6..... within a period of
fifteen days from the date of receipt*

.....

(b) the second petitioner/A2/ Kalavathy shall report before the respondent police as and when required for interrogation and the third petitioner/A3/Arun Kumar shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

instead of

(b) the second petitioner/A2/ Kalavathy and the third petitioner/A3/Arun Kumar shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation."

4.Registry is directed to carry out the necessary corrections and re-issue copy of the order to the respective learned counsel appearing for the parties.



WEB COPY



CrI.O.P.No.17598 of 2021

03.12.2021

M.DHANDAPANI,J.
pri



WEB COPY



Crl.O.P.No.17598 of 2021

Crl.O.P.No.17598 of 2021

03.12.2021