



CrI.O.P.No.14090 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 417, 376, 420, 493, 509 and 506(1) of IPC in Crime No.469 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was already married and had 10 years old male child. The petitioner and the victim women worked together in Singapore, they had physical relationship with each other. On one such occasion, it is alleged that the petitioner got married to the victim women in a hotel room and later he ascertained that the victim women has to divorce her first husband. Thereafter, the petitioner failed to register the marriage. Hence, the complaint.

3. In earlier occasion, this Court directed the victim women and the petitioner to appear before this Court and they appeared. He also assured that he will marry the victim women and ready to register the marriage.



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4. The learned counsel for the petitioner would submit that the defacto complainant and her husband eloped somewhere and were living together.

5. The learned counsel for the intervenor/defacto complainant submitted that the petitioner had got married to another person and had registered the same. Therefore, he cannot register the marriage with the victim women. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

6. Considering the above facts and circumstances of the case, the custodial interrogation of the petitioner is not required in this case. Hence, this 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 is made ready, before the learned Judicial Magistrate No.II, Chidambaram, 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



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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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner 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.

[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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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