



Crl.O.P.No.19076 of 2022

Crl.O.P.No.19076 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 493, 294(b), 324, 506(i) of IPC, in Crime No.18 of 2022, seek anticipatory bail.

2. The case of the prosecution is that A1 fell in love with the defacto complainant and they had a physical relationship. Later, A1 refused to marry the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that A1 fell in love with the defacto complainant and also had a physical



Crl.O.P.No.19076 of 2022

relationship. Thereafter, A1 refused to marry her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that there are totally 3 accused in which the petitioners are arrayed as A2 and A3. The first accused fell in love with the victim and had physical relationship. Thereafter, he refused to marry the victim. A1 was arrested and released on bail. The petitioners herein are brother and mother of A1.

6. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate, Tiruvarur, on condition that each of 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



Crl.O.P.No.19076 of 2022

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 petitioners 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 petitioners shall report before the respondent police 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]**.



WEB COPY



Crl.O.P.No.19076 of 2022

G.K.ILANTHIRAIYAN, J.

mn

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

12.08.2022

mn

Crl.O.P.No.19076 of 2022