



Crl.O.P.No.19951 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 offences punishable under Sections 354, 376, 406, 420 & 506(i) of IPC in Crime No.506 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that A1 and the defacto complainant loved each other from 2018 and A1 promised the defacto complainant to marry her and developed physical relationship. Later, he refused to marry her. The petitioner is the father of A1. It is alleged that the petitioner misbehaved with the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the alleged offence. He would further submit that A3 and A4 was already granted anticipatory bail by this Court in Crl.O.P.No.19200 of 2022 dated 16.08.2022. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submitted that there are totally four accused, in which, the petitioner is arrayed as A2. On the pretext of marriage, A1 had physical relationship with the defacto complainant. Due to which, the defacto complainant got pregnant. A1 with the help of A3 & A4 aborted the child. Thereafter, A1 refused to marry her. The petitioner/A4 had threatened the defacto complainant with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The petitioner is the father of A1. Even according to the prosecution, A1 cheated the defacto complainant and having physical relationship. Later, he refused to marry her. Sofar as the petitioner is concerned, he is nothing to do with A1, he only threatened the defacto complainant.

6. Considering the above fact and circumstances of the case, 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



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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 Metropolitan Magistrate No.XV, George Town, Chennai, 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 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



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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 229A IPC.

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