



Crl.O.P.No.22715 of 2022

A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest for the alleged offences under Sections 498A, 494 of IPC in Crime No.19 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner married the defacto complainant on 20.08.2012 and they have a child born to them on 15.08.2014. It is further case that the petitioner had deserted her and married another lady and having a child through her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, due to matrimonial dispute between the petitioner and the defacto complainant they are living separately. The petitioner has also filed Spl.HMOP.No.65 of 2019 on the file of the Principal District Court, Tiruvallur, only after receipt of summons from the Court, a false complaint has been given against the petitioner. The petitioner is ready to appear before the respondent police and cooperate for investigation.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner married the defacto complainant



during the year 2012 and they have child born to them on 15.08.2014.

Subsequently, the petitioner had deserted the defacto complainant and married another women through her, the petitioner has also given birth to a child. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions :

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before the Judicial Magistrate No.I, Poonamallee, on condition that the petitioner shall execute a separate 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 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 10.30am until further orders.

[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 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]***.

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

With the above directions, this Criminal Original Petition is ordered.

20.09.2022

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