



Crl.O.P.No.24860 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 and 506(1) of IPC in Crime No.498 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a deserted woman and she was living along with her mother. The petitioner had developed an illicit intimacy with her and later, the defacto complainant had severed the relationship. Whereas, on 25.09.2022, the accused had gone to the house of the defacto complainant and threatened her and her mother and also damaged household articles worth about Rs.5,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and the petitioner and the defacto complainant were doing MLM business earlier. He would further submit that the petitioner had claimed the money, a false complaint has been given. He further submitted that the petitioner is prepared to deposit a sum



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of Rs.5,000/- to the credit of Crime No.498 of 2022 towards the alleged damages caused to the household article.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the defacto complainant is a deserted woman and she was living along with her mother. The petitioner had developed an illicit intimacy with her and later the defacto complainant had severed the relationship. Whereas, on 25.09.2022, the accused had gone to the house of the defacto complainant and threatened her and her mother and also damaged the household articles worth Rs.5,000/-. He would further submit that there is no previous case pending against the petitioner. Hence he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record including the First Information Report.



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6. Taking into consideration the facts 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;

7. Accordingly, the petitioner is ordered to be released on bail on condition to make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.498 of 2022 and on such deposit and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Pollachi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties 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



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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., 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 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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