



Crl.O.P.No.26361 of 2022

A.D. JAGADISH CHANDIRA, J.,

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 506(i) of IPC in Crime No.12 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the third petitioner by suppressing the earlier marriage married the defacto complainant, when it was questioned by the defacto complainant, the petitioners/accused have started to threaten and abused her and also taken away 60soverigns of jewels and a sum of Rs.1lakh from her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons, a false complaint has been given by the defacto complainant on account of a matrimonial dispute. He would submit that earlier the petitioners were issued with a notice under Section 41-A Cr.PC and they have also duly appeared for enquiry and thereafter a case has been registered. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that A3 is the husband of the defacto complainant, suppressing the earlier marriage, had married the defacto complainant and committed cruelty and taken away 60soverigns of jewels and a sum of Rs.1lakh for her. He would submit that investigation is pending. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 V Metropolitan Magistrate, Egmore, Chennai, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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 1 and 2 shall report before the respondent police daily at 10.30a.m., for a period of two weeks and thereafter on every Saturday at 10.30a.m., until further orders. The petitioners 3 and 4 shall report before the respondent police daily at 10.30am until further orders.

[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].

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

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