



Crl.O.P.No.25175 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 406, 420, 376 and 506(1) of IPC in Crime No.16 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the *de-facto* complainant Saranya is that the petitioner's son one Sathish and the *de-facto* complainant were working in the software company. While so, the said Sathish in the guise of marrying her, had sexual intercourse with her and later, cheated her. During the relationship, he has also taken money from the *de-facto* complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she is the mother of A1. He would also submit that A1 has been granted anticipatory bail by this Court on 01.06.2022 in Crl.O.P.No.12830 of 2022. Hence, he prays to grant anticipatory bail to the petitioner.



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4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is the mother of A1. He would also submit that the petitioner's son on the promise of marrying the *de-facto* complainant had sexual intercourse with her and received money from her. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel and perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, 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, Sriperumbathur**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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



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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 everyday 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 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]**.



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

18.11.2022

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