



CrI.OP.No.29011 of 2022

CrI.O.P.No.29011 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 109, 506(1) IPC r/w 67 of Information Technology Act, 2006 and Section 4 of Women Harassment Act in Crime No.08 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Devayani is that she was having friendship with A1. Later, she came to know that he is not a good person and she broke her relationship with A1. While so, on 07.11.2022, marriage was fixed for the defacto complainant and A1 coming to know about the marriage proposal sent photos taken during their relationship and threatened the defacto complainant that he would stop the marriage. The further allegation is that the petitioner who is the father of A1 had also threatened the defacto complainant. Hence, the case.



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3. The learned counsel appearing for the petitioner would submit that there was a relationship between the petitioner's son and the defacto complainant and later, they have separated and there was a dispute between them. Other than that, the petitioner has nothing to do with the alleged offence. He would further submit that the petitioner's son/A1 had been arrested and released on bail. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned learned Additional Public Prosecutor appearing for the respondent would submit that marriage was fixed for the defacto complainant. Coming to know about the marriage proposal, the son of the petitioner sent photos taken during their relationship and threatened the defacto complainant that he would stop the marriage. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.



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6. Taking into consideration the facts and the submissions, 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 in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thittagudi 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 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., until further orders.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

25.11.2022

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