

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.3569 OF 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C., seeking pre-arrest bail to the petitioner/Accused in the event of his arrest in connection with Crime No.64 of 2022 on the file of Thangallapally Police Station, Rajanna-Siricilla District, registered for the offences punishable under Sections 417, 420, 376 of I.P.C. and Sections 3(1)(r)(s), 3(1)(w)(i), 3(2)(va) of SCs and STs (POA) Amendment Act, 2015.

2. Heard learned counsel for the petitioner/Accused and learned Assistant Public Prosecutor for the respondent No.1-State.

3. Briefly, the facts of the prosecution case are that the *de facto* complainant/respondent No.2 filed the complaint dated 14.03.2022 alleging that the petitioner/Accused fell in love with the *de facto* complainant in the year, 2012 and promised to marry her. However, the parents of the *de facto* complainant performed the marriage of *de facto* complainant with another person in the year, 2013. Thereafter, having come to know about the relationship between the petitioner/Accused and the *de facto* complainant/respondent No.2, the husband of *de facto* complainant had differences with her, then they obtained divorce in the year, 2014. Thereafter, the petitioner and the

de facto complainant lived together for a period of two years. However, he refused to marry and on one day he assaulted the *de facto* complainant. On 13.02.2022 when the petitioner and the *de facto* complainant were in a house near Textile Park, the petitioner allegedly threatened the *de facto* complainant with dire consequences and for the said reason the present complaint was lodged.

4. As seen from the complaint, there was consensual relationship between the petitioner and the *de facto* complainant prior to marriage and after she got divorced. In the said circumstances, when the relationship between the petitioner and the *de facto* complainant goes way back to 2012, this Court is inclined to grant the relief of Anticipatory Bail to the petitioner/Accused on the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Thangallapally Police Station, Rajanna-Siricilla District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties in a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused shall report before the said Station House Officer on every Monday between 10.00 a.m. and 5.00 p.m., for a period of three months or till filing of the charge sheet, whichever is earlier.

- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Accordingly, the criminal petition is allowed.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date :10.06.2022

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Dt.10.06.2022

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