



Crl.O.P.No.2953 of 2021

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.13 of 2020 registered by the respondent Police for the offence under Sections 498(A), 417, 495, 506(i) IPC with respect to an occurrence which had taken place on 17.6.2018.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.The defacto complainant is the wife of the petitioner they had married on 17.6.2018. The defacto complainant saw on the facebook a photo of the petitioner with another lady and along with the children. The petitioner had got married with that lady on 19.11.2016 even earlier to the marriage with the defacto complainant. The matter has been pending without any progress.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. 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**



Crl.O.P.No.2953 of 2021

Magistrate Ambur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 **every Saturday at 10.30 a.m., until further orders. He must co-operate with the investigation and the respondent police may endeavour to proceed further by issuing notice for the appearance of the defacto complainant and to complete the investigation.**

[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



Crl.O.P.No.2953 of 2021

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.

13.10.2023

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