

Crl.O.P.No.3046 of 2023

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Section 366 of IPC in Cr.No.Not Known of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's daughter one Ms.Kalaiselvi worked in a Company at Tiruppur. Further, the petitioner was also worked the same company and the petitioner was kidnapped the defacto complainant's daughter on 28.01.2023. Hence, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the FIR has been registered against the petitioner in Crime No. 83 of 2023. Hence, he vehemently opposed grant of anticipatory bail to the petitioner.



5.The petitioner along with the daughter of the Defacto complainant appeared before this court in persons and submitted that the petitioner is aged about 26 years and the victim girl is aged about 20 years and also produced the photo copies of their marriage. The daughter of the defacto complainant also submitted that she is ailing from Mannargudi and the petitioner is from Tiruvannamalai. Further, the daughter of the defacto complainant affirmed that she got married with the petitioner and they are living together in the petitioner's house at Tiruvannamalai.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate No.III, Thiruppur*, 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 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 Court concerned 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. for a period of eight weeks 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 anticipatory 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]*; and;

T.V.THAMILSELVI, J.

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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

13.02.2023*dk*

To
The Judicial Magistrate No.III,
Thiruppur,

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