



Crl.O.P.No.4770 of 2023

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and Crl.M.P.No.8752 of 2023

WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147 and 406 of IPC, in Crime No.29 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/ Priyadarshini is that the first accused, on the assurance of marriage, had received an amount of Rs.10,50,000/- from the defacto complainant and cheated her. Hence the complaint.

3. The accused have filed Crl.O.P.No.4770 of 2023 before this Court seeking anticipatory bail and during the hearing, it was admitted that the accused have received an amount of Rs.10,50,000/- through bank transaction from the defacto complainant for marriage and later, due to some mis-understanding, the marriage was called off and the petitioners/accused have voluntarily undertaken to repay the amount of Rs.7,50,000/- and



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sought for anticipatory bail. On the date of hearing of the anticipatory bail application, the accused had paid Rs.3,00,000/- by way of demand draft and also agreed to repay the balance amount of Rs.4,50,000/- on or before 05.06.2023. Based on the voluntary offer, this Court had granted interim anticipatory bail to the petitioners on 17.03.2023 with a condition to repay the balance amount of Rs.4,50,000/- on or before 05.06.2023 and also listed the matter on 09.06.2023 for reporting compliance.

4. When the matter was listed on 19.06.2023, there was no representation for the petitioners and the learned counsel for the intervener sought time to file an intervening application and thereby, the matter was directed to be listed on 22.06.2023. On 22.06.2023, the learned counsel for the petitioners appeared before this Court and submitted that the amount would be repaid during the first week of July and thereafter, when the matter was listed again on 26.07.2023, there was no representation for the petitioners.

5. The learned Government Advocate appearing for the respondent



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would submit that the order of undertaking given by the petitioners have not been complied with and they have also not executed the sureties and they have also not complied with the conditions.

6. Heard the learned counsel for the intervener. It is a case of cheating an young girl to the tune of Rs.10,50,000/- on the false assurance of marrying her. Based on the voluntary undertaking given and part payment of Rs.3,00,000/- made, this Court had granted anticipatory bail and directed the accused to pay the balance amount of Rs.4,50,000/- on or before 05.06.2023 and directed the matter to be listed on 09.06.2023 for reporting compliance. The petitioners/accused based on false assurance have obtained anticipatory bail and thereafter, have refused to pay and violated the conditional order. Today, there is no representation for the accused.

7. In view of the above, the order of interim anticipatory bail granted to the petitioner on 17.03.2023 stands cancelled.



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8.Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petition is also closed.

28.07.2023

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