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

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 354 and 506(i) of IPC in Crime No.09 of 2021, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant Suvitha is that she has completed B.A. Degree and that she has known the petitioner/accused for the past eight years. Initially they were friends and during the year 2019, she has proposed love to the petitioner/accused and thereafter both the parties have approached their parents and the parents have also agreed for their marriage. While so, during the year 2020, the petitioner/accused had taken her to his house and had sexual intercourse with her several times. Thereafter, an engagement was also conducted on 07.02.2021. While so, the de facto complainant had checked the mobile phone of the petitioner/accused and she found that he was having relationship with yet another girl called Monisha. When she



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had questioned the petitioner/accused, the petitioner/accused had threatened her saying that he is going to marry the said Monisha and threatened her, due to which, the de facto complainant had consumed 118 Thyroid Tablets and she was admitted in hospital. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner and the de facto complainant are matured adults. Even admittedly, as per the complaint, there was a relationship between them for the past eight years and due to misunderstanding, the de facto complainant has given a false complaint. He would further submit that it the case where there was a consensual relationship between two grown up matured adults and it is not a case that the petitioner has cheated the de facto complainant and only since the de facto complainant had suspected that the petitioner was having friendship with one Monisha, a false complaint has been given. It is not a case of cheating. He would also submit that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent



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condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner has induced the victim girl on the false promise of marriage and had sexual intercourse with her. Later, the de facto complainant came to know that the petitioner was also in relationship with another lady Monisha and when it was questioned by her, the petitioner had threatened her and refused to marry her and thereby the de facto complainant had consumed excess Thyroid Tablets. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by learned Counsel on either side and also the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 **Additional Mahila Court, Egmore, Chennai**, 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 conditions 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 everyday at 10.30 a.m., until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

**07.03.2023**

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