



Crl.O.P.No.6643 of 2023

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and Crl.M.P.No.7610 of 2023

WEB C **RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A), 323, 342, 354, 354A, 354B and 506(ii) of IPC r/w Section 4 of TNPHW Act, in Crime No.20 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that she got married with the petitioner on 02.07.2020 at Siva Sakthi Nagar, Vinayagar Temple, Tiruppur. At the time of marriage, she provided with 80 sovereigns of gold, 1.5 kgs of silver and house articles worth about Rs.4 lakhs. At that time, it was stated that the petitioner was running pharmacy and doing business of import and export of toys and cosmetics. The further allegation is that the relatives of the petitioner had harassed her and committed cruelty from the date of marriage and the petitioner had also demanded money and taken 15 lakhs and he had body shamed the defacto



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complainant and he compelled her to watch the obscene videos and later she came to know that the petitioner was engaged in the business of selling banned sex toys and that when she questioned the same, the petitioner had harassed her. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are aunt and cousin of A1.He further submitted that other than the relatives of A1, the petitioners are no way connected with the alleged offence. He also submitted that A1 in this case has already been granted anticipatory bail by this Court in Crl.O.P.No.13396 of 2023 on 26.06.2023. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the marriage between A1 and the defacto complainant was solemnised on 02.07.2020. Subsequently, A1 had received money for his business purpose and thereafter, cheated her and her family members. When it was questioned by her, A1 along with other



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accused joined together have abused and harassed her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5.The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioners stating that A1 along with other accused harassed the defacto complainant and committed cruelty and also driver her out of the matrimonial home.

6. Heard the learned counsel on either side and perused the entire materials available on record.

7. Taking into consideration the facts and circumstance of the case, the submissions made by the learned counsel on either side and also of the fact that A1 who is the main accused in this case has already been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Judge, Fast Track Court, Tiruppur, on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police everyday at 6.30 p.m, until further orders;

[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 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;

9. Accordingly, this Criminal Original Petition is ordered. Consequently, connected Miscellaneous Petition is also closed.

28.08.2023

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