



Crl.O.P.No.6656 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners who apprehend arrest for the alleged offence under Section 420 of IPC and Section 4 of TNPHW Act, 1998 in Crime No.5 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioners are the mother, father and the brother of the 1st accused, who had deceived the defacto complainant under the lure of marrying her.

3. The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The **learned Government Advocate (Crl. side)** submits that the FIR has been registered against the petitioners and hence, he opposed for granting anticipatory bail to the petitioners.



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5. The petitioners are the mother, father and the brother of the 1st accused, who had deceived the defacto complainant under the lure of marrying her. The complaint proceeds only against the 1st accused. Therefore, I am inclined to grant anticipatory bail to the petitioners.

6. 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 of receipt of a copy of this order, before the learned *Judicial Magistrate I, Poonamallee*, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each** 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 petitioners 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;



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(b) the 1st and 3rd petitioners shall report before the respondent police station daily at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation. The 2nd petitioner shall appear before the respondent Police as and when required.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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;

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

24.05.2023

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V.LAKSHMINARAYANAN, J.

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To

- 1.The Judicial Magistrate I,
Poonamallee,
- 2.The Public Prosecutor
High Court of Madras

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24.05.2023