



Crl.O.P.No.6754 of 2023

Crl.O.P.No.6754 of 2023

WEB COPY

K.KUMARESH BABU, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.93 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and the first petitioner was solemnized on 04.12.2020. Thereafter, they became separated. It is alleged that the first and second petitioners are siblings and they pledged the jewels of the complainant weighing five sovereigns while the complainant and the first petitioner were living together. After their separation, the petitioners are refusing to return the same. Hence, the complaint.

3. The learned counsel for the petitioners would submit that when the first petitioner came to know that the defacto complainant was already married and it was questioned by him. Therefore, she left the matrimonial home. Immediately, the first petitioner returned all the belongings of the complainant except the jewels since they were pledged. The complainant earlier lodged a complaint before SP, Ranipet District, thereby he returned the jewels. Only to harass the petitioners, the present complaint has been filed. Therefore, he prays to grant anticipatory bail to the petitioner.



CrI.O.P.No.6754 of 2023

WEB COPY

4. The learned Government Advocate(crl.side) would submit that A1 is the husband of the defacto complainant and A2 is the sister of A1. They earlier pledged the jewels of the complainant weighing five sovereigns while A1 and the complainant were living together. Even after their separation, the petitioners are refusing to return the same. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate, Arcot, on condition that the petitioners shall execute a separate 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, 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



CrI.O.P.No.6754 of 2023

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 at 10.30 a.m. weekly twice i.e. Monday and Thursday until further orders.

[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 petitioners 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.

17.05.2023

lok

K.KUMARESH BABU, J.



WEB COPY



Crl.O.P.No.6754 of 2023

lok

Crl.O.P.No.6754 of 2023

17.05.2023