



Crl.O.P.No.6917 of 2023

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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 and 506(i) IPC in Crime No.04 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Nanthini is that, the accused had induced her and thereby, she fell in love with him and they were in a relationship for about 1½ years. Later, for the past 4 days, the petitioner did not call the defacto complainant and on enquiry, it was found that the petitioner got engaged to another woman and when it was questioned by the defacto complainant and her mother, the mother of the petitioner along with his family members abused the defacto complainant and her mother and attempted to assault them. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner and the defacto



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complainant are known to each other for the past 1 ½ years, whereas, the defacto complainant had developed one side love with the petitioner and she has given a false complaint as if the petitioner had cheated her. He would submit that even as per the complaint, there is no complaint of any sexual relationship with the victim girl. 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 had developed the relationship with the victim girl and later, he got engaged to another girl and when it was questioned by the victim, the petitioner abused her. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is



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inclined to grant anticipatory bail to the petitioner subject to the following conditions:

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 **learned Metropolitan Magistrate-X, Egmore**, 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 condition 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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every day at 10.30 a.m., until further orders.



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[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.

30.03.2023

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