



Crl.O.P.No.7988 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506 Part I IPC read with Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.68 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Prakash is that A1 is the husband of the victim's sister and that the victim is a Judicial Magistrate. The petitioners along with A1 has sent fake marriage invitations with photographs of the victim and the petitioner, to others and has caused emotional distress to the victim and her family members for the past 10 years. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false case has been foisted against them due to family dispute. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) for the respondent vehemently opposed to grant anticipatory bail to the petitioners stating that A1 who is none other than the brother-in-law of the victim along with these petitioners, have sent fake marriage invitations with photographs of the victim and A1, to others and for the past 10 years, he has caused emotional distress to the victim and her family members.

5. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl. Side) and perused the materials available on record including the FIR.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners is 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 Court (Magistrate Cadre), Vellore** on condition that the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) with two sureties** 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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Cuddalore and report before the Old Town Police Station everyday at 10.30 a.m. until further orders;



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[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.

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