



Crl.O.P.No.8277 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 alleged offences punishable under Sections 448, 435 of IPC r/w Section 4 of TNPPDL Act, in Crime No.85 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Meenachi is that, during the year 2011 she got married one Dharmadurai and when she was residing at Muthalamman Koil street, at that time, she has found close relationship with Damodharan and he compelled her to marry him, in respect of which, she gave a complaint on 09.06.2020 at Selaiyur Police Station and they warned the said accused. Subsequently, she got married with one Sathishkumar on 27.01.2023 and was living in Cee Dee Yes Apartment. The further allegation is that the accused had compelled her to marry him and later he also damaged the car belonging to the husband of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given against



Crl.O.P.No.8277 of 2023

him on account of political motive. He would further submit that the defacto complainant is known to her and there was a financial dispute, between him and the defacto complainant in order to evade payment has given a false complaint against him. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the accused had compelled her to marry him and later he also damaged to the defacto complainant's second husband car. Hence, he would vehemently opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, the also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain 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



CrI.O.P.No.8277 of 2023

date on which the order copy made ready, before the **Judicial Magistrate cum DMC, Thiruporur**, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall report before the respondent police at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 a.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



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Crl.O.P.No.8277 of 2023

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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.

17.04.2023

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Crl.O.P.No.8277 of 2023