



Crl.O.P.No.9574 of 2023

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S.SOUNTHAR, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 494 of I.P.C. in Crime No.11 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st and 2nd petitioner's son and the de-facto complainant are husband and wife. The petitioners 3 to 6 are in-laws. The allegation is that the de-facto complainant's husband/1st accused during the subsistence of his first marriage had married the second accused as second wife. Hence, a case has been registered against the petitioners and other accused.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioners.



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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 petitioners 2 and 4 shall report before the respondent police as and when required for interrogation.

[b] the petitioners 1, 3, 5 and 6 shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

04.05.2023

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