

Crl.O.P.No.10168 of 2023

WEB COPY K.KUMARESH BABU, J.

The petitioner who apprehends arrest for the alleged offence under Sections 498-A, 494, 406, 417, 420 and 506 (i) IPC r/w Section 4 of Women Harassment Act in Cr.No.07 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner who is the younger sister of the defacto complainant is alleged to have cheated her and got married to her husband and ill treated her. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the co accused has already arrested and released on bail in Crl.M.P.No.2070 of 2023 dated 13.04.2023 by the Court below. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) submitted that the petitioner cheated the defacto complainant by marrying her husband. Hence,



he opposed for granting anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case and that the co accused has already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Maduranthakam, Chengalpattu District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



(b)the petitioner shall appear before the respondent police as and when required for interrogation;

(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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

18.05.2023

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