



Crl.O.P.No.11900 of 2023

CRL.OP. No. 11900 of 2023

V.LAKSHMINARAYANAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.50 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that his daughter married the petitioner's son and handed over 50 sovereigns of gold as Seethanam. Thereafter, the petitioner and his son pledged the above said gold and the petitioner's son fled to France and married some other women. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person he has not committed any offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that



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the petitioner and his son pledged 50 sovereigns of gold which belongs to the petitioner's daughter and also the petitioner's son fled to France married some other women. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to pay a sum of Rs.2,00,000/- (Rupees two lakhs only) to the defacto complainant within a period of four weeks from the date on which the order copy made ready, and on such payment the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Additional Mahila Judge, Villupuram, on condition that the petitioner shall execute a bond 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:



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[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 pay a sum of Rs.2,00,000/- (Rupees two lakhs only) to the defacto complainant within a period of four weeks from the date on which the order copy made ready.

[c] the petitioner shall appear before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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V.LAKSHMINARAYANAN, J.



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