



Crl.O.P.No.13062 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), 465, 420 and 506(ii) of I.P.C in Crime No.163 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Geetha is that her husband is working in Indian Army and she has got two children. The allegation against the petitioners is that they have compelled her to desert her husband and give false complaint against her husband before the higher officials in the army. Hence, the complaint .

3.The learned counsel for the petitioners would submit that the first petitioner is the maternal uncle and second petitioner is the mother of the defacto complainant. Since the second petitioner has refused to handover certain properties, a false complaint has been given. He would further submit that the petitioners are ready and willing to abide by any



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stringent conditions as imposed by this Court. Hence he seeks for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners respectively are the maternal uncle and mother of the defacto complainant. They have harassed the defacto complainant to desert her husband and gave false complaint against her husband before the higher officials in the army. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are 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 **Judicial Magistrate-I, Vellore** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the



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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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10:30 a.m for a period of one week and thereafter every Saturday at 10.30 a.m., until further orders.

[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



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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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