



Crl.O.P.No.16693 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely B.Jai Kishan, N.Buddhi Prakash, B.Rekha and B.Rahki who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 498(A) and 506(i) IPC in Crime No.185 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that, petitioners are falsely implicated in this case in Crime No.185 of 2023 for the offences under Sections 498(A) and 506(i) IPC. It is his further submission that, A1 is the husband of defacto complainant, 2nd petitioner is the father-in-law, 3rd petitioner is the mother-in-law and 4th petitioner is the sister-in-law of the defacto complainant. In a family dispute, defacto complainant gave a false complaint against the petitioners. Apprehending arrest at the hands of the respondent, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes this petition, on the ground that, marriage between the 1st petitioner and defacto complainant had taken place on 05.06.2015. The allegations against the



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accused is that, ever since the date of marriage, accused used to harass the defacto complainant. On 14.06.2023, at about 11.00 p.m., when defacto complainant and children were sleeping, mother-in-law wanted the defacto complainant's children to join bajanai with her. When defacto complainant informed her that, children have school in the morning, defacto complainant's husband and mother-in-law pulled her hair and tried to kill her by strangulating. Other accused have joined with them, in abusing the defacto complainant. Thus, he prays for dismissal of this petition.

4. Considering the nature of the allegations and that the issue relates to marital discard between the defacto complainant and accused and that material part of the investigation might have been over by this time, this Court is of the view that, custodial interrogation of the petitioners is not necessary and the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.1, Poonamallee**, on condition that the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of



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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] (i) the 1st and 2nd petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

(ii) 3rd and 4th petitioners shall report before the respondent police as and when required for further interrogation.

[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



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

28.07.2023

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