



Crl.O.P.No.15856 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 506(i), 420, 468 & 471 of IPC and 109 of Cr.P.C., in Crime No.110 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the husband of the defacto complainant was leading adulterous life with one lady and when the same was questioned by the defacto complainant, it is alleged that her husband abused and made life threat by using filthy language and in that course, he informed the defacto complainant that after divorce she has nothing to do with him. It is further alleged that the defacto complainant after enquiry came to know that the A2, who is the post man and the A3, who is the Post Branch Manager colluded together and aided A1 in completing the service of Court notices to defacto complainant at her old address and manipulating the signature, for the purpose of getting exparte divorce for A1 and defacto complainant. Hence the case.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is working as a Post Branch Manager and his nature of work do not involve the dispatch of the postal covers and his work is purely on administrative in nature and he has discharged only his official duty and even as per the FIR, there is no specific overt act as against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) stated that with regard to A4, this Court has already granted anticipatory bail to A4 and based upon the report of the A4, A3 has made entry in the computer. However, he opposed to grant anticipatory bail to the petitioner.

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



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6. Accordingly, the petitioner is 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, Arakkonam**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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:

[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 report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks.

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



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[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]**.

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

08.08.2023

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