



Crl.O.P.No.18479 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 498(A), 406, 494, 326 and 506(ii) of IPC, in Crime No.8 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that A1 by suppressing the earlier marriage with the defacto complainant, had performed another marriage with this petitioner. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she is the first wife of A1 and the defacto complainant is the second wife of A1. The learned counsel also produced birth certificates of the children of the petitioner, wherein, it shows that the petitioner herein gave birth to a baby boy namely Mohamed Saayan on 19.11.2020. He further submitted that the marriage between the petitioner and the defacto complainant was solemnized only on 17.07.2019. He also



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submitted that the petitioner delivered a second child on 06.06.2022. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Heard the learned counsel for the intervener as well as the learned Government Advocate (crl.side) and also perused the entire materials available on record.

5. According to the defacto complainant, she married A1 on 17.07.2019. As per the birth certificate, the petitioner herein gave birth to one baby boy namely Mohamed Saayan on 19.11.2020. Hence, I find that who is the first wife and who is the second wife is to be ascertained. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the **learned Additional Mahila Judge, Egmore, Chennai**, 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, 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 Tuesday at 10.30 a.m., until further orders.

[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



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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;

24.08.2023

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24.08.2023