



Crl.O.P.No.18728 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), 417, 354(c) & 506(i) of IPC and Section 4 of TNPHW Act, 2002 in Crime No.04 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the Petitioner gave false promise of marrying the Defacto Complainant, misused her but failed to marry her and married some another girl. On 29.12.2022 when the Defacto Complainant went to the Petitioner's home town, she was abused by his parents and they threatened her with dire consequences. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that the Petitioner has not committed any offences as alleged in the complaint. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that the Petitioner is working in ship and he vehemently opposed to grant anticipatory bail to the Petitioner.

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

6.When this Court asked the learned counsel for the Petitioner as to



whether the Petitioner is within the jurisdiction of India, he stated that the Petitioner viz., Karthikesan is very much in Cuddalore. The same is hereby recorded.

7.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the nature and gravity of the alleged offence and considering the alleged overtact against the Petitioner, I am inclined to grant anticipatory bail to the Petitioner with certain conditions.

8.Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on his appearance, on or before 31.08.2023, before the **learned Judicial Magistrate, Parangipettai** on conditions that the Petitioner shall produce his passport and he shall execute a separate 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 automatically 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



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Police, on everyday at 10.30 am for a period of four weeks and thereafter on 21.09.2023, he shall appear before this Court;

[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 Petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

9.Post the matter on 21.09.2023.

24.08.2023

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