



Crl.O.P.No.21217 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 498(A), 406, 494, 326, 506(ii) of IPC, in Crime No.8 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the 1st accused with the help of other accused, by suppressing the earlier marriage with the defacto complainant, had performed another marriage. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that after many years from the date of occurrence of offence, the defacto complainant had come up with this complaint to threaten and spoil reputation of the petitioners family with an intention to grab money. He would further submit that A1 in this case



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was enlarged on bail by the Additional Mahila Court, Egmore, Chennaiin, in Crl.M.P.No.818 of 2023 dated 20.07.2023 and A4 in this case has been granted anticipatory bail by this Court in Crl.O.P.No.18479 of 2023 on 24.08.2023. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners along with other accused by suppressing the earlier marriage with the defacto complainant had performed another marriage. He would further submit that co-accused have been granted anticipatory bail by this Court. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also taking into consideration the fact that co-accused in this case have been granted bail, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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[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 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.

21.09.2023

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