



Crl.O.P.No.22741 of 2023

WEB COPY

Crl.O.P.No.22741 of 2023

**C.V.KARTHIKEYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294 (b), 323, 498 (A) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.14 of 2022, seeks anticipatory bail.

2.The learned counsel for the petitioner states that the marriage between petitioner and the defacto complainant was solemnized on 09.11.2017 and a female child was born to them. Owing to various disputes, it is stated that the defacto complainant had lodged the present complaint. She had also filed an O.P.No.367 of 2022, before the Principal Sub Court, Kancheepuram. It is stated that the matter is pending for ex-parte evidence and she seeks divorce. Thus, he prays for grant of anticipatory bail to the petitioner.

3.The learned Government Advocate (Crl.Side) submitted that investigation in this case is completed and final report has been filed



Crl.O.P.No.22741 of 2023

WEB COPY

before the concerned Court, but not taken cognizance. Thus, he prayed for dismissal of this petition.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. 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 **Judicial Magistrate No.II, Kancheepuram**, 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**



CrI.O.P.No.22741 of 2023

**WEB COPY** respondent police daily morning at 10.30 a.m., for a period of ten days and thereafter as and when required for interrogation.

[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 Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

**16.10.2023**

sli

**C.V.KARTHIKEYAN, J.**

3/4



WEB COPY



CrI.O.P.No.22741 of 2023

sli

**CrI.O.P.No.22741 of 2023**

**16.10.2023**