



Crl.O.P.No.25727 of 2022

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WEB CRI RMT.TEEKAA RAMAN, J.

The Petitioners, who apprehend arrest at the hands of the Respondent police for the offence punishable under Sections 494, 498(A), 294(b) & 506(i) of IPC in Crime No.27 of 2022 on the file of the Respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first Petitioner married another lady without getting divorce from the Defacto Complainant and when the same was questioned, there was a wordy quarrel between them. Hence the complaint.

3.The learned Counsel for the Petitioners would submit that the first Petitioner and the Defacto Complainant got married on 19.10.2015 and the Defacto Complainant left the matrimonial home within a period of three months and her whereabouts were not known and suddenly she lodged the present complaint against the Petitioners. Hence, the learned counsel for the Petitioners prays for grant of anticipatory bail to the Petitioners.

4.The learned Government Advocate (Criminal Side) for the Respondent would submit that, due to family dispute, HMOP.No.1006 of 2022 is pending between the Defacto Complainant and the first Petitioner. He is vehemently opposed to grant anticipatory bail to the Petitioners.



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

6.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, this Court is inclined to grant anticipatory bail to second and third Petitioners with certain conditions and this Petition is dismissed against the first Petitioner.

7.Accordingly, second and third Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.2, Poonamallee**, on condition that the Petitioners 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 dismissed and on further condition that:

[a] second and third Petitioners 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] **second and third Petitioners shall report before the Respondent Police, on everyday at 10.30 a.m., for a period**



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of three weeks and thereafter as and when required;

[c] second and third Petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] second and third 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 second and third Petitioners in accordance with law as if the conditions have been imposed and second and third 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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