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Crl.O.P.No.23485 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2 and A3 who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406, 420 and 506(i) of IPC in Crime No.264 of 2023, seeks anticipatory bail.

2.The petitioners are the in-laws of the daughter of defacto complainant. It is stated that the defacto complainant's daughter had married the son of the petitioners and later, he went over to Netherlands, with a promise to take his wife to Netherlands. However, he did not fulfil the promise, which necessitated filing of the complaint.

3.The learned counsel for the petitioners stated that the daughter of defacto complainant had filed HMOP.No.79 of 2023 and an ex-parte decree had also been passed on 10.04.2023 by the IV Additional Family Court, Chennai.

4.Taking into consideration the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail



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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 XVI Metropolitan Magistrate, George Town, Chennai, on condition that each of the petitioner 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] 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 1st petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation and produce the document relating to the divorce order, produced in the Court today (12.10.2023).

[c] the 2nd petitioner shall report before the



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respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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.

12.10.2023

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12.10.2023