



Crl.O.P.No.23660 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/1 & 2 seek anticipatory bail in Crime No.18 of 2023 registered by the respondent for offence u/s.120B and 494 IPC and also under Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

2.It is stated that the 1st petitioner had married the defacto complainant and there were two children who are now studying 11th and 12th standard. It is alleged in the complaint the 1st petitioner had married another lady and also had children. It is under those circumstances, the complaint was lodged.

4. Taking into consideration these facts, since investigation will have to be done, **the petition stands dismissed insofar as the 1st petitioner is concerned.** Insofar as **the 2nd petitioner is concerned, anticipatory bail is granted.**

5. Accordingly, **the 2nd petitioner is ordered to be released on bail** in the event of arrest or on his appearance, within a period of fifteen



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days from the date on which the order copy made ready, before the **Additional Magila Court, Erode, Erode District**, 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 2nd petitioner is directed to appear before the respondent police on every Saturday at 10.30 am., until further orders.

[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



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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.

13.10.2023

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