



Crl.O.P.No.29081 of 2023

Crl.O.P.No.29081 of 2023

P.DHANABAL, J.

The petitioner/accused-2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 387 and 506(i) IPC in Crime No.362 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is an A/c.mechanic and also having own buildings and used to collect rent from the tenants and also got divorced from his wife. The petitioner was a married woman and having two sons and they were studying in college. The petitioner went to Andhra Bank which was run in the building of the defacto complainant for processing personal loan. At that time the petitioner and the defacto complainant developed their friendship and both discussed about their family. In the meantime time the husband of this petitioner died. After some time both the petitioner and the defacto complainant decided to marry with the permission of the petitioner's son namely A2 and A2 and they also accepted their marriage proposal. It is the further case that the defacto complainant got Rs.3 ½ crores by selling his ancestral property and thereafter on the direction of the petitioner and



Crl.O.P.No.29081 of 2023

A2 and A3 the defacto complainant spent more money to her for education and he has spent around Rs.28,00,000/-. Further at the request of the petitioner the defacto complainant put up separate rented house at Coimbatore and purchase household articles and Honda Nivas Car worth about Rs.9,00,000/- and 70 sovereigns gold jewels to the petitioner and on 16.03.2022 he purchased a land at Kembarampalayam Village, Mettupalayam, Coimbatore to an extent of 1 acre 5 cents in the name of the petitioner. The petitioner and her two sons tortured the defacto complainant and asked him to give No objection for the lands possessed in the name of the petitioner. Thereafter the Inspector of Police, Mettupalayam called the defacto complainant for enquiry and at that time he came to know that he was cheated by the petitioner, hence the case came to be registered.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and he has been falsely implicated in this case. Hence he seeks anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that due to previous enmity between the defacto complainant and



Crl.O.P.No.29081 of 2023

accused, the accused had threatened the defacto complainant. However, nobody was injured in this case. He further submitted that there are three previous cases pending against the petitioner. Therefore, he objected to grant anticipatory bail to the petitioner.

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

6.Considering the offences charged against the petitioner and the fact that nobody was injured in this case, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, 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 learned V Metropolitan Magistrate, Egmore** 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



CrI.O.P.No.29081 of 2023

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 respondent police daily at 10.30 a.m., for a period of thirty 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].

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



WEB COPY

gd/mpl



CrI.O.P.No.29081 of 2023

28.12.2023

P.DHANABAL, J.

gd/mpl

CrI.O.P.No.29081 of 2023



WEB COPY



CrI.O.P.No.29081 of 2023

28.12.2023