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Crl.O.P.No.580 of 2024

Crl.O.P.No.580 of 2024
and Crl.O.P.No.29216 of 2023
and Crl.M.P.Nos.1765 & 1212 of 2024
C.V.KARTHIKEYAN, J.

A3 and A4 have filed Crl.O.P.No.29216 of 2023 and A2, A5 and A8 have filed Crl.O.P.No.580 of 2024, both in Crime No.27 of 2023 registered by the respondent police under Sections 417, 420 & 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. It is the case of the prosecution that A1 had been engaged to marry the defacto complainant after being in relationship for considerable period of years. After the engagement, A1 had withdrawn from marrying the defacto complainant. The earlier application seeking anticipatory bail by A1 had been dismissed and subsequently, he had been arrested and had been granted bail. These petitioners are family members, not directly involved with the relationship between A1 and the defacto complainant. They would have been involved in the engagement function. They would also have been under the impression that the marriage would go forward and would not get frustrated.



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3. It is made clear that the petitioners are not admitting to the allegations. It is also made clear that the defacto complainant can seek compensation for the injury and mental agony suffered and if granted by any Competent Court, the amount directed to be paid by this Court may be adjusted.

4. However, taking all those factors into consideration this Court is inclined to grant anticipatory bail to the petitioners, but however, directing the petitioners jointly to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only) as non-refundable deposit to the credit of Crime No.27 of 2023, before the Judicial Magistrate, Ambathur. The said amount may be handed over by the Judicial Magistrate, Ambathur to the defacto complainant.**

5. Accordingly, the 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, Ambathur**, on condition that the petitioners shall



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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 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] the petitioners shall report before the respondent police once a week i.e., every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[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



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action against the petitioners in accordance with law as if the conditions have been imposed and the 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 absconds, a fresh FIR can be registered under Section 229A IPC.

6. Consequently, connected miscellaneous petitions are closed.

12.02.2024

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