



Crl.O.P.No.2459 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 in Crime No.52 of 2023 registered by the Respondent Police for the offences under Section 376(i) IPC read with Section 4 of TN Prohibition of Women Harassment Act along with Sections 417, 294(b) and 506(i) IPC, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that this Petitioner is an Advocate and the Accused A1 is his son, who is also an Advocate. The defacto complainant is a law student. It is stated that the Accused A1 had physical relationship with the defacto complainant and as on date, she is 7 month's pregnant.

3. Since this Petitioner/A2 had refused to arrange marriage between the defacto complainant and the 1st Accused, this Petitioner was also arrayed as an Accused.



CrI.O.P.No.2459 of 2024

WEB COPY

4. This Petitioner had now filed an affidavit, wherein, he had stated as follows :

“ 3. I have no objection of my son Ranjit marriage the defacto complainant. I will not stand as hindrance to the marriage of my son Ranjit marriage the defacto complainant. The said Ranjit is a major and I have no hold over him. ”

5. In view of this particular statement, this Court is inclined to grant anticipatory bail to the Petitioner subject to the following conditions. **It is made very clear that this order should not be used as precedent for the Accused A1 to seek any relief. However, Registry is directed to forward the copy of this order to the Additional Mahilir Fast Track Court at Salem and also to the Principal Sessions Court at Salem.** Accordingly, the 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 Additional Mahilir Fast Track Court at Salem**, on condition that the petitioner shall execute a bond for a sum of



CrI.O.P.No.2459 of 2024

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 conditions 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 once in a week i.e., on every Saturday at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the 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



CrI.O.P.No.2459 of 2024

WEB COPY

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.

13.03.2024
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Crl.O.P.No.2459 of 2024

13.03.2024
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