



Crl.O.P.No.898 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners/A1&A2 seek anticipatory bail in Crime No.13 of 2023 registered by the respondent Police for the offences punishable under Sections 294(b), 498(A) and 506(i) of IPC.

2. It is the case of the prosecution is that the complaint had been received on 23.08.2023 and the defacto complainant alleged that she was the first wife of A1 and that, he had married the second petitioner herein again. But, however the fact of the date of marriage had been verified by the respondent and it is seen that the marriage between the two petitioners herein took place on 05.05.2022 and the marriage between the first petitioner and the defacto complainant took place on 26.06.2022.

3. It is thus evident that the first petitioner had married the second petitioner and immediately thereafter, married the defacto complainant. It cannot be termed acceptable in the eyes of law.



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4. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions since she had lawfully married. The petition stands dismissed as against the first petitioner.

5. Accordingly, the second petitioner is 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 **Additional Mahila Court, Thiruvallur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 second petitioner shall report before the



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respondent police once a week i.e., every Saturday at 10.30 a.m., for a period of one week 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 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.

13.03.2024

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