



Crl.O.P.Nos.3617 & 4335 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners / A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Section 294(b), 506(i), 306 & 115 of IPC in Crime No.809 of 2023, seek anticipatory bail.

2.A1 has filed Crl.O.P.No.4335 of 2024 and A2 has filed Crl.O.P.No.3617 of 2024.

3.It is stated that A1 / petitioner in Crl.O.P.No.4335 of 2014 was in relationship with the defacto complainant for a considerable period of years and later had held out that he is not willing to marry her. This had made her to take the drastic decision to attempt to commit suicide. Fortunately, she has been rescued. A2 in Crl.O.P.No.3617 of 2024 is said to be the friend of A1.

4.A1 has filed an affidavit wherein, he had stated as follows:

“10.Under such circumstance, I am hereby undertakes to marry the defacto-complainant without any condition or any hesitation.”



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5.In view of that particular statement and in view of the role of A2, this Court is inclined to grant anticipatory bail to A2 / petitioner in Crl.O.P.No.3617 of 2024.

6.Accordingly, the petitioner/A2 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Vanur, Villupuram District, 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 petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner/A2 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond



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and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner/A2 shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner / A2 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner / A2 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 / A2 in accordance with law as if the conditions have been imposed and the petitioner / A2 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.



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7.Insofar as A1 / petitioner in Crl.O.P.No.4335 of 2024 is concerned interim protection from arrest alone is granted till 14.03.2024 and he must appear before the respondent on 01.03.2024. The respondent may also issue notice to the defacto complainant and examine what is the actual position between A1 and the defacto complainant and file a status report. The affidavit which is filed before this Court may also be examined by the respondent.

8.It is made clear if it is found that there is no bonafide on the part of A1, interim protection is withdrawn.

9.The Registry may list Crl.O.P.No.4335 of 2024 alone on 14.03.2024.

23.02.2024

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