



Crl.O.P.No.4335 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A1 seeks anticipatory bail in Crime No.809 of 2023 registered by the respondent Police for the offences punishable under Sections 294(b), 506(1), 306 and 115 of IPC.

2. It is stated that the petitioner 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.

3. The petitioner has filed an affidavit wherein, he had stated as follows:-

"10.Under such circumstance, I am hereby undertake to marry the defacto complainant without any condition or any hesitation."



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4. In an order dated 23.02.2024, this Court had observed as follows:-

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 It is made clear if it is found that there is no bonafide on the part of A1, interim protection is withdrawn."

5. It is stated by the learned counsel for the petitioner that the petitioner/A1 had appeared before the respondent and had expressed intention to marry the defacto complainant. But, however, the defacto complainant had not appeared for enquiry.

6. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the 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 **Judicial Magistrate,**



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Vanur, 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 petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks 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



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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.

14.03.2024

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