



Crl.O.P.No.8988 of 2024

Crl.O.P.No.8988 of 2024

T.V.THAMILSELVI, J.

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 420 & 506(i) of IPC in Crime No.17 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had a love affair with the defacto complainant from the year 2013 onwards and the petitioner borrowed a sum of Rs.12,00,000/- from the defacto complainant on a false promise of marrying her. Thereafter, the petitioner cheated the defacto complainant. Hence, this case.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is a love affair between the petitioner and the defacto complainant, due to which, he borrowed a sum of Rs.12,00,000/- from the defacto complainant and thereafter, the



petitioner broken the love affair with the defacto complainant and cheated her. Now the defacto complainant married some other person.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side and also the fact that the defacto complainant married some other person, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is directed not to interfere into the life of the defacto complainant and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the **learned Judicial Magistrate, Tiruvottiyur** on condition that the petitioner shall 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:



Crl.O.P.No.8988 of 2024

[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 is directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of eight 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 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.

11.06.2024

gsk



WEB COPY



Crl.O.P.No.8988 of 2024

T.V.THAMILSELVI, J.

gsk

Crl.O.P.No.8988 of 2024

11.06.2024