



Crl.O.P.No.9432 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498A, 354A and 506(ii) of IPC in Crime No.08 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband along with his friend one Ravi gave sexual torture to the defacto complainant. The children of the defacto complainant are in the custody of said Ravi and they refused to send the children with her. The defacto complainant gave her mother's house original document and her 30 sovereign of gold for her husband's business development and the same has not been settled to her till date. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and due to family dispute, they have been falsely implicated in this case. He further submits that now the second petitioner has



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got married and a false case has been foisted against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners have sexually tortured the defacto complainant. The first petitioner is the husband of the defacto complainant and the second petitioner is the friend of the first petitioner. The children born to the first petitioner and the defacto complainant are under the custody of the second petitioner and they refused to send the children with the defacto complainant. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days



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from the date of receipt of a copy of this order before the ***learned IX Metropolitan Magistrate, Saidapet, Chennai*** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m, for a period of three months;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 has been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself as laid



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down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

17.04.2024

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