



Crl.O.P.No.10570 of 2024

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offences punishable under Section 417, 406 and 506(i) of IPC in Crime No.12 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that in the year 2012, the de-facto complainant got married to one Raguvaran and out of their wedlock, she gave birth to two children. Subsequently, the dispute between them, the de-facto complainant and her children were living separately. In the year 2022, the de-facto complainant acquainted with the petitioner and they were development their talk over the phone and the petitioner had promised that he will marry her. Subsequently, the petitioner and the de-facto complainant got married in Sithamoor Temple as per Hindu customs. Thereafter, the de-facto complainant became pregnant and on knowing this, the petitioner's family members were trespassed into her house and threatened her with dire consequences. Hence the complaint.



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3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would also submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this Court. Therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent submitted that the petitioner and the de-facto complainant got married and she became pregnant, the petitioner along with family members were trespassed into her house and threatened her with dire consequences. He further submits that there is no previous case against the petitioner. However, he opposed for granting anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by the learned counsel on either side and that there is some matrimonial dispute pending against them, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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Crl.O.P.No.10570 of 2021



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Maduranthagam*** 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 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 Station as and when required;

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

[d] the petitioner shall not abscond either during



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Crl.O.P.No.10570 of 2024



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;

7. The petitioner and the de-facto complainant along with their parents are directed to appear before Mediation and Conciliation Centre, Chengalpattu on 08.05.2024, failing which, the petition for anticipatory bail shall stand automatically dismissed, without any reference to this Court.

29.04.2024

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