



Crl.O.P.No.10598 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 376, 294(b) and 506(ii) of IPC in Crime No.129 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner and defacto complainant loved each other. The first petitioner was acquainted with the defacto complainant and had a sexual relationship with her after assuring her that he would marry her. The petitioner herein is the mother of the first petitioner. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the petitioner is the mother of A1 and she is not connected with any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.10598 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the first petitioner and defacto complainant loved each other. The first petitioner was acquainted with the defacto complainant and had a sexual relationship with her after assuring her that he would marry her. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

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 petitioner with certain conditions.

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.I, Viruthachalam***, 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



CrI.O.P.No.10598 of 2024

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 Court concerned 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 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 has been imposed and the petitioner is 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]***; and;



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Crl.O.P.No.10598 of 2024

T.V.THAMILSELVI, J.

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

29.04.2024

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Crl.O.P.No.10598 of 2024