



Crl.O.P.No.10600 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 498A, 323 and 506(I) of IPC in Crime No. 9 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that she got married to the petitioner and at that time of marriage, the second accused gifted money, gold ornaments and 25 sovereigns to the bride, and within a month from the date of marriage, she came to know that the petitioner has an habit of smoking ganja, When she questioned the same, the first petitioner along with other accused persons threatened the defacto complainant. The further allegation is that she became pregnant but the petitioner forced her to go to her father's house and thereby tortured the defacto complainant. 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



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case. He further submits that as a counter blast to the divorce application in HMOP.No.156 of 2024, a false complaint has been lodged against the petitioner. He further submits that he is ready to abide by any conditions that may be imposed by this Hon'ble Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the defacto complainant got married to the petitioner and at that time of marriage, the second accused gifted money, gold ornaments and 25 sovereigns to the bride. He further submits that the petitioner was having a bad habit of smoking ganja. He further submits that the petitioner along with other persons all tortured the defacto complainant. 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.



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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 Additional Mahila Court, Egmore***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties and one surety must be a blood surety, 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 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 on every Saturday at 10.30 a.m, for a period of three months;

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



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[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;

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

7. The petitioner should pay the maintenance of Rs.15,000/- to the account of the defacto complainant of every first week of English Calendar month, commencing from this month, without fail otherwise, the anticipatory bail will be automatically cancelled.

29.04.2024

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