



Crl.O.P.No.11513 of 2024

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T.V.THAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 420 and 506(1) of IPC in Crime No.100 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.09.2023, betrothal was happened between the defacto complainant and the 2nd petitioner's daughter Dharaniselvi and thereafter, due to wordy quarrel between the defacto complainant and his mother, the defacto complainant left out his home and started staying in the accused house. While so, the defacto complainant gave a sum of Rs.46,500/- and also 3.5 sovereigns of gold to the accused for medical expenses of his father-in-law, The accused further threatened the defacto complainant to bring Rs.3,00,000/- to get married to her daughter Dharaniselvi and also refused to return the money and jewels. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the



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petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the defacto complainant only stayed in the accused house and the defacto complainant was obtained Rs.50,000/- from his fiancée and in order to repay the same, he transferred Rs.36,500/- to the accused. Due to some misunderstanding, now, the defacto complainant in the impression to stop the marriage, a false complaint was given that the petitioners' refused to return the jewels and cash belonging to the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that there was engagement between the defacto complainant and the second petitioner's daughter and that the defacto complainant gave Rs.46,500/- and 3.5 sovereigns of gold to the accused for medical expenses of his father-in-law. The accused persons further threatened the defacto complainant to bring more money to get married and the accused neither permit the defacto complainant to marry her daughter nor repay the money and jewels. Hence, he opposed to grant anticipatory bail to the



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petitioners.

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5. Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate-2, Nagapattinam**, on condition that the petitioners 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 and on further condition that:



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[a]the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each to the credit of Crime No.100 of 2024, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] 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 first petitioner shall report before the respondent police, on every Tuesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[c] the second petitioner shall report before the respondent police, as and when required for interrogation;

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

[e] the petitioners shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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appropriate action against the petitioners in accordance with law as if the conditions has been imposed and the petitioners are released on anticipatory 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;

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

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