



WEB COPY



Crl.O.P.No.11658 of 2024

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379, 420, 495, 506(I) of IPC in Crime No.73 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the wife and the petitioners 3 to 5 are in-laws of the defacto complainant and the 2nd petitioner is the family friend of the petitioners. The petitioners cheated the de facto complainant by falsely stating that the 1st petitioner had undergone OT ANESTHESIA training and was working at Narayani Hospital, despite her not having completed her 12th standard. Furthermore, suppressed the fact that she was already married. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that they have nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the



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petitioners.

4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioners cheated the defacto complainant. However, he opposed for grant of anticipatory bail to the petitioners.

5.Taking note of the facts and circumstances, 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II. Aalandur**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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



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further condition that:

[a]the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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***



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[(2005) AIR SCW 5560]; and;

[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 159-A IPC.

09.05.2024

vsn

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