

**Crl.O.P.No.12812 of 2024****T.V.THAMILSELVI, J.**

The petitioner apprehends arrest for the alleged offence under Sections 417, 376, 506(i) of IPC in Crime No.6 of 2024, on the file of the respondent police seeks anticipatory bail.

2. When the matter was taken up for hearing today, the petitioner and the defacto complainant appeared before this Court along with their parents and counsels.

3. The learned counsel appearing for the petitioner submits that this Court vide order dated 12.06.2024, directed the petitioner and the defacto complainant to appear before Mediation and Conciliation in order to settle the disputes between them, however the Mediation was failed. He also further submitted that already the petitioner and his parents had expressed their willingness to conduct marriage between the petitioner and the defacto complainant and to that effect they have also filed an affidavit of undertaking.

4. Heard the learned counsel appearing for the intervener and learned Government Advocate (Criminal Side).



5. The petitioner submits that he is willing to marry the defacto complainant, however the defacto complainant is not willing to marry the petitioner by stating that there is no security for her, if she live with the petitioner.

6. Recording the submissions of the petitioner and the defacto complainant and considering the submissions made on both sides and taking note of the fact that mediation between them is failed and also the fact the petitioner is ready to marry her but the defacto complainant is not willing for the same, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

7. 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 at Chennai* 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 sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of



his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police on every Saturday for a period of two months and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 [(2005)AIR SCW 5560]***.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.08.2024

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