



Crl.O.P.No.12904 of 2024

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WEB C S. SOUNTHAR, J.

The petitioner herein seeks anticipatory bail in Crime No.1 of 2024 registered by the respondent Police for the offences punishable under Sections Sections 498(A), 323 and 506(ii) of IPC.

2. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner/A1 is married to the de facto complainant on 30.11.2017 and are blessed with a male child on 29.11.2018. On account of the difference of opinion between the de facto complainant and A1, they have started living separately. He also submitted that the petitioner had approached this Court in A.No.349 of 2023 in O.P.No.7 of 2023 for visitation right to visit his minor child and this Court has also allowed the same. Meanwhile, the de facto complainant has filed a false compliant before the respondent alleging offence under Sections 498(A), 323 and 506(ii) of IPC against the petitioner and his father. He further submitted that this Court has granted anticipatory bail to the petitioner's father in Crl.O.P.No.12223 of 2024 vide order dated 23.05.2024.



3. Having regard to the nature of the allegation made against the petitioner and also considering the fact that the second accused was already enlarged on anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Additional Mahila Judicial Magistrate, Alandur**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] **the petitioner shall appear before the respondent Police everyday at 10.30 a.m., until further orders;**



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[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 have been imposed and the petitioner 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.

30.05.2024

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