



Crl.O.P.No.14450 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498 (A), 406, 506(i) IPC in Crime No.140 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case, as if 1st petitioner had intimacy with the defacto complainant due to which, she got pregnant and also received Rs.9,00,000/- from her. However, he submitted that, it is the defacto complainant, who called through messages and compelled to marry her. Due to which, he gave complaint on 25.05.2024 to the Superintendent of Police. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent opposed this petition, stating that the victim girl is 4 months pregnant. The 1st



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petitioner gave false promise and developed intimacy with the defacto complainant and made her pregnant and now refuses to marry her. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

4.Taking into consideration the facts of the case and the submissions made by the learned counsels, and also the fact that investigation in this case is almost completed, this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners with certain conditions. Considering the gravity of the offence and the fact that the victim is 4 months pregnant, the anticipatory bail to the 1st petitioner is dismissed.

5.Accordingly, the 2nd and 3rd petitioners are ordered to be released on **anticipatory bail**, in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thittakudi**, on condition that the 2nd and 3rd 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



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Magistrate concerned, failing which, the petition for anticipatory bail shall stands dismissed and on further condition that:

(a) the 2nd and 3rd 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 2nd and 3rd petitioners shall report before the respondent police as and when required for interrogation;

[c] the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd and 3rd 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 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd and 3rd 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.

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