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Crl.OP.No.16415 of 2023

Crl.O.P.No.16415 of 2023

and

Crl.MP.No.11667 of 2023

C.V.KARTHIKEYAN,J.

The petitioner/A1 seeks anticipatory bail in Crime No.279 of 2023 registered by the respondent police for the offences punishable under Sections 406, 420 and 498A of IPC.

2. The case of the prosecution is that the defacto complainant had been married to one Rakul on 06.05.2018 and got separated. The father of the defacto complainant also died. Thereafter, the defacto complainant had come into contact with the petitioner herein and lived with him at Kerala. There was a dispute during that particular period and allegations and counter allegations were levelled against each other. Let me not enter into further discussion since my learned Predecessor had referred the issues to be examined by Mediator a report has been received from the Mediation and Conciliation Centre, High Court, Madras, wherein it has



Crl.OP.No.16415 of 2023

WEB COPY

been stated that the disputes and the differences between the defacto complainant and the petitioner had been resolved and a settlement had been reached between them. The Settlement signed by the petitioner and also by the Intervenor had also been forwarded to this Court.

3. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 District Munsif-Cum-Judicial Magistrate Court, Madukarai* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



Crl.OP.No.16415 of 2023

[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 report before the respondent police every day at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[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.

Consequently, the connected miscellaneous petition is closed.

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