



Crl.O.P.No.18143 of 2024

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T.V.THAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498A and 506(1) of IPC in Crime No.24 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant viz., Shabana Sabiga lodged a complaint against the petitioner stating that the marriage between the defacto complainant and A1 took place on 31.01.2016 and they blessed with girl baby and thereafter, her husband (A1) had illegal intimacy with another lady, due to which, petitioners harassed the defacto complainant and threatened her with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are an innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any



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stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there are totally 3 accused in this case and that the petitioners are the husband and father-in-law of the defacto complainant. He further submitted that (A1) had illegal intimacy with another lady, due to which, the petitioners harassed the defacto complainant and threatened her with dire consequences. Hence, he raised strong objection for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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(i) the 1st petitioner shall pay a sum of Rs.5,000/- [Rupees Five Thousand only] per month as interim maintenance to the account of the defacto complainant, until modified by the Court of law.

(ii) the said amount is ordered to be paid from the 1st week of August 2024.

(iii) if any deviation, the anticipatory bail granted to the petitioners shall cancelled automatically.

9. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, Tambaram**, 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 further condition that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[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 has been imposed and the petitioners are released on anticipatory 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]*; and;

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

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Copy to: The defacto complainant



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