

Crl.O.P.No.28294 of 2024**A.D.JAGADISH CHANDIRA, J.**

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The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 354(A), 376 and 417 of I.P.C, in Crime No.6 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused got acquainted with the de-facto complainant through a matrimonial website and later, they became closer and taking advantage of the closeness, the accused had on the promise of marrying her sexual intercourse with her and also taken money from her and later, refused to marry her and cheated her. When it was questioned, the accused had come to clinic of the de-facto complainant and threatened her. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would further submit that the petitioner came into contact with the de-facto complainant through a community matrimonial website. The marriage talks are going on and since the horoscope did not match, the alliance was not fixed. Subsequently, the petitioner has got a job and a false complaint



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has been given and the petitioner is pressurised to marry the de-facto complainant. He would further submit that the petitioner is ready to abide any stringent condition that may be imposed on him and he is ready to co-operate with the respondent in the investigation. Hence he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Pondicherry) for the respondent while opposing the grant of anticipatory bail to the petitioner would submit that the de-facto complainant is a Siddha Doctor by profession and she got acquainted to the petitioner through a matrimonial website. The accused on the promise of marrying her on sexual intercourse with her and thereafter taken money from her and later, refused to marry her. He would submit that the investigation is pending and he would object for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and also the relationship among the parties, this Court is inclined to grant anticipatory bail to the petitioner.



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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 days from the date on which the order copy made ready, before the **learned Chief Judicial Magistrate, Puducherry**, on condition that the third petitioner shall execute a separate 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 report before the respondent Police, on everyday at 06.30 p.m., until further orders.

[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,



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the learned Magistrate/Trial Court is entitled to take appropriate action against the third petitioner in accordance with law as if the conditions have been imposed and the third 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 abscond, a fresh FIR can be registered under Section 269 BNS.

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