



Crl.O.P.No.29474 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.285 of 2024 registered for the offences punishable under Section 108 of BNS, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant/ Anupreethi is that her mother was separated from her father and living alone and she had developed a relationship with one Sabarinathan, who is their relative and whose wife has passed away 8 years ago. While so, the accused, who are sons and relatives of one Sabarinathan, had abused and harassed her mother, due to which, she committed suicide by hanging. Hence the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He also submits that the defacto complainant's mother is a married woman and she



had developed an illegal intimacy with one Sabarinathan and when it came to be known to the Villagers, she committed suicide and a false complaint has been given. He further submitted that the petitioners have not abetted the victim to commit suicide and they are ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners abetted the victim, who is the mother of the defacto complainant, to commit suicide, since she was having relationship with one Sabarinathan, who is the father and relative of the petitioners.

5. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on 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 No.II, Pollachi**, on condition that each of the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks, thereafter every Saturday at 10.30 a.m. until further orders;

[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 have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down



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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 269 of BNS.

02.12.2024

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