



Crl.O.P.No.29718 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.229 of 2024 registered for the offences punishable under Section 498A & 323 of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that due to matrimonial dispute, a false complaint has been lodged. He would further submit that the petitioners are innocent and they have been unnecessarily implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3.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 petitioner and the defacto complainat were



earlier married. The 1st petitioner's wife died and the defacto complainant is a divorcee. Later they got introduced through Shaddi.com and married. The further allegation is that the petitioner, along with his mother, viz., the second petitioner, harassed the defacto complainant and committed matrimonial cruelty. He also submits that the investigation is pending as against them.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned District Munsiff cum Judicial Magistrate at Madhukkarai, Coimbatore, on condition that the petitioner shall execute a 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 said Magistrate, on further



condition that:

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[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the first petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 10.30 a.m., until further orders and the second petitioner shall report before the respondent police 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 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 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.



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