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Crl.O.P.No.28594 of 2023

Crl.O.P.No.28594 of 2023
and Crl.O.P.No.451 of 2024
and Crl.M.P.No.277 of 2024

C.V.KARTHIKEYAN, J.

A1 has filed Crl.O.P.No.28594 of 2023 and A2 has filed Crl.OP.No.451 of 2024 both in Crime No.16 of 2023 registered by the respondent Police for the offences punishable under Sections 498(A), 323 and 506(i) of IPC.

2. The first accused is the husband of the defacto complainant. Both of them are working in Reserve Bank of India. It is alleged that the first accused had commenced a relationship with the second accused/petitioner in Crl.O.P.No.451 of 2024. There has been a representation on behalf of the defacto complainant who has also filed an application and it is stated it would only be appropriate that the first accused does not interfere with her personal affairs and keeps away from her.

3. The respondent may file the charge sheet and the case may go according to its own flow. Accordingly, the first accused has filed an



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affidavit and in para No.5 he has stated as follows:

"I submit that I hereby assured that I will not disturb the defacto complainant, I will not contact the defacto complainant and I will not interfere into the personal life of the defacto complainant."

4. Let me not keep the flame burning further but take a middle path. This Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 **IX Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the first petitioner shall report before the respondent police everyday at 5.30 p.m., for a period of two weeks and thereafter as and when required for interrogation and the second petitioner shall report before the respondent once a week i.e., every Saturday for a period of two weeks and thereafter as and when required for interrogation. Similar affidavit should be filed before the IX Metropolitan Magistrate, Saidapet, Chennai to be retained affidavit on record.

[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 by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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

5. Consequently, connected miscellaneous petition is ordered.

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