

Crl.O.P.No.14270 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent-police, in respect of the alleged commission of offences punishable under Sections 498-A, 326 & 307 IPC in Crime No.13 of 2015, the petitioners have approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The petitioners 1 & 4 are the sons of the petitioners 2 & 3. The petitioners 5 & 6 are the relatives of the petitioners 1 to 4. The complaint was lodged by the wife of the 1st petitioner.

3.The case of the prosecution is that the marriage between the 1st petitioner and the defacto-complainant took place on 13.05.2013 at Tirutani Temple. Subsequent to the marriage, the defacto-complainant was tortured by the petitioners by demanding dowry. On 12.03.2015, the petitioners 1 & 2 went to the flat of the defacto-complainant, where she is presently residing, and rang the calling bell; when she went downstairs with the baby in her arms, she was shocked to see her father-in-law (2nd petitioner) holding a bottle and he tried to pour the liquid on her, but the 1st petitioner intervened and stop him; thereafter, the defacto-complainant came to know

that the 2nd petitioner tried to pour acid on her face. Hence, she lodged a complaint on 17.04.2015 and based on the said complaint, the present criminal case has been filed against the accused persons.

4.The learned counsel for the petitioners submitted that earlier the defacto-complainant lodged a complaint on 02.01.2015 against the petitioners herein alleging dowry harassment. In the said complaint, the petitioners have obtained anticipatory bail in CrI.O.P.No.3627 of 2015 on 17.02.2015. Since the petitioners have come out on anticipatory bail, the defacto-complainant has filed the present complaint with false allegations. The learned counsel for the petitioners would further submit that even according to the defacto-complainant, the occurrence took place on 12.03.2015, but she has chosen to prefer the complaint only on 17.04.2015; the delay in preferring the complaint would speak the falsehood in the allegations made in the complaint. In fact, the 1st petitioner has also already filed a petition in H.M.O.P.No.214 of 2014 and he has also given a representation to the Deputy Commissioner of Police (North), Anna Nagar narrating the harassment meted out at the hands of the defacto-complainant and the respondent-Police. The learned counsel for the petitioners submitted that only to harass the petitioners, the present complaint has been lodged by the defacto-complainant. Thus, the learned counsel for the

petitioners sought for grant of anticipatory bail.

5.The learned counsel appearing for the intervener/defacto-complainant opposed the grant of anticipatory bail to the petitioners stating that the petitioners have harassed the defacto-complainant.

6.The learned Government Advocate (Crl.side) has also opposed the grant of anticipatory bail to the petitioners stating that considering the gravity of the offence, anticipatory bail could not be granted to the petitioners.

7. I have carefully heard the submissions made on either side and perused the materials available on record.

8.Considering the facts and circumstances of the case, I am of the opinion that the anticipatory bail could be granted to the petitioners by imposing certain strigent conditions. Accordingly, the petitioners are directed to be released on anticipatory bail, in the event of their arrest or on their appearance before the Court concerned, on each of them executing a 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 learned

XIII Metropolitan Magistrate, Egmore, Chennai, and on further condition that the petitioners 1 & 2 shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required and the other petitioners viz., petitioners 3 to 6 shall report before the respondent-police as and when required.

9. The petitioners shall appear before the Magistrate concerned within a period of 15 days from the date of receipt of a copy of this order, failing which, the anticipatory bail granted shall stand automatically cancelled.

18.06.2015

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