



Crl.O.P.No.3827 of 2022

Crl.O.P. No. 3827 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 498A, 406, 506(i) I.P.C. read with Section 4 of the Tamil Nadu Women Harassment Act, 1998 in Crime No.6 of 2021, on the file of respondent police, seeks anticipatory bail.

2. The case of prosecution is that the petitioner is the sister of A1 and the defacto complainant is the wife of A1. It is alleged that the petitioner along with A1 harassed and demanding dowry from the defacto complainant and got aborted due to the cruelty caused by the accused persons. Hence, the complaint.

3. The learned counsel for petitioner submitted that the petitioner is ranked as A4 in a complaint given by the defacto complainant/wife of A1. Based on that, the F.I.R.No.6 of 2021 was lodged under Sections 294(b), 323, 498A, 406, 506(i) I.P.C. He would further submit that this is the



Crl.O.P.No.3827 of 2022

second petition seeking for anticipatory bail. On earlier occasion, the husband of defacto complainant was not cooperating for the investigation as he evaded the proceedings and went to abroad. Thereafter, now he came down to India and appeared before the respondent police and also cooperating for the investigation. He would further submit that the petitioner herein is the sister of A1 and she is ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objection stating that if she is released on anticipatory bail, she will abscond and tamper the witnesses. He would also submit that this is the second petition seeking for anticipatory bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, and considering the fact that the investigation is almost completed and the petitioner is unmarried, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.3827 of 2022

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioner shall execute 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 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, being a women, she shall report before the respondent police as and when required for the investigation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.3827 of 2022

WEB COPY [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 petitioner in accordance with law as if the conditions have been imposed and the 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 absconds, a fresh FIR can be registered under Section 229A IPC.

17.08.2022

rpp



WEB COPY



Crl.O.P.No.3827 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P. No. 3827 of 2022

17.08.2022