



Crl.O.P.No.3979 of 2022

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R.PONGIAPPAN, J.

The petitioners, who apprehend arrest for the alleged offences under Sections **498(A), 406, 420, 107 and 506(2) of IPC** in Crime No.40 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was married to the first accused and after the marriage, the first accused demanded dowry and also made life threat to her. The petitioners are family friends of the first accused.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that during the relevant point of time, the petitioners being the employees of the Company in which the husband of the defacto complainant was working, gave good conduct certificate that the character of the husband of the defacto complainant is good. In otherwise, the petitioners are not played any active role in the alleged occurrence. Hence, he pleaded for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police raised objection stating that investigation is pending. However he admits portion of the investigation has been completed.

5. Submissions made by the learned counsel appearing on either side are considered.

6. The averments found in the first information report would disclose the fact before the marriage, both the petitioners herein gave a good conduct certificate to the husband of the defacto complainant. In otherwise, as of now portion of the investigation has been completed. Therefore, taking note of all the above said aspects into consideration and having regard to the nature of the offence committed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 of receipt of a copy of this order, before **the learned Judicial**



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Magistrate No.I, Pollachi on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police every Sunday at 10.00 a.m. for a period of four weeks and thereafter as and when required for interrogation;

(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 themselves as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of*



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Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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