



Crl.O.P.No.10814 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 493, 420 and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.09 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Sundari is that she is a visually challenged person. The marriage between the defacto complainant and A1 was registered on 25.09.2015. At the time of marriage, 25 sovereigns of jewellery and Rs.50,000/- towards house hold articles were given to A1 and they have also spent a sum of Rs.10,00,000/- for the marriage expenses. The defacto complainant and her husband lived for sometime at Kumbakonam and thereafter, A1 went to Singapore for employment. The further case of the defacto complainant is that her husband developed illicit intimacy with another lady at Singapore. The parents and brother of A1 had physically and mentally assaulted her demanding more dowry. Hence, the complaint.



Crl.O.P.No.10814 of 2022

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3. The learned counsel for the petitioners would submit that the petitioners are parents of A1. Though the defacto complainant claims to be a physically challenged person and she is working as a professor in the Government College, due to matrimonial dispute, A1 insisted the defacto complainant to go along with her, whereas the defacto complaint refused to go with him and she insisted the son of the petitioners to leave the job at Singapore and come to India, due to which, there was a matrimonial discard between them and that unnecessarily the petitioners have been dragged into the issue. He would further submit that right from the marriage, the defacto complainant and her son are separately living. He would also submit that this Court earlier referred the matter to Mediation and it has failed. He would submit that the petitioners are unnecessarily harassed by the defacto complainant.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners are parents of A1 and



Crl.O.P.No.10814 of 2022

the petitioners along with A1, have demanded additional dowry and they have physically and mentally harassed the defacto complainant.

5.Heard both the learned counsels and perused the materials available on record.

6.Taking into consideration the facts and the submissions of the learned counsels and the petitioners are parents of A1 and they have been living separately, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

7.Accordingly, the petitioners are 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 District Munsif cum Judicial Magistrate, Needamangalam, Tiruvarur District on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent



Crl.O.P.No.10814 of 2022

WEB COPY

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 the Magistrate 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 everyday at 10.30 a.m., for a period of one week and thereafter every Saturday at 10.30 a.m., until further orders;

[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



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Crl.O.P.No.10814 of 2022

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;

13.09.2022

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Crl.O.P.No.10814 of 2022

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Crl.O.P.No.10814 of 2022

13.09.2022