



Crl.O.P.No.16072 of 2022

Crl.O.P.No.16072 of 2022

WEB COPY

**G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No. 13 of 2019 seeks anticipatory bail.

2. The case of the prosecution is that the 1<sup>st</sup> petitioner got married to the defacto complainant on 09.12.2013. Due to wedlock, a male child was born on 04.03.2015. The petitioners and the defacto complainant continued their matrimonial life and thereafter, the petitioners harassed the defacto complainant and demanded dowry. Hence, the defacto complainant filed a complaint before the respondent police, and the respondent police registered a case against the petitioners.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.16072 of 2022

WEB COPY

4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case, in which , the petitioner is arrayed as A1. A2 and A3 are the father-in-law and mother-in-law of defacto complainant. A4 is the brother-in-law. A1, who is the husband of the defacto complainant, harassed the defacto complainant and demanded dowry. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Salem, 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



Crl.O.P.No.16072 of 2022

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 shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation

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

[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.

12.07.2022

Lpp



WEB COPY



Crl.O.P.No.16072 of 2022

**G.K.ILANTHIRAIYAN, J.**  
Lpp

Crl.O.P.No. 16072 of 2022

12.07.2022