



Crl.O.P.No.16954 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Section 174(3) Cr.P.C and later altered into Section 306 of IPC, in Crime No.102 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused harassed the daughter of the defacto complainant by demanding dowry. Thereafter, the daughter of the defacto complainant committed suicide by hanging in her matrimonial home. Hence, the complaint.

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 to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused harassed the deceased by demanding dowry. Thereafter, the deceased committed suicide by hanging in her matrimonial home. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are totally 2 accused in which the petitioner is arrayed as A2. The deceased is the daughter-in-law of the petitioner herein. A perusal of the complaint revealed that the first accused is the son of the petitioner herein and got married with the deceased. Thereafter, he tortured the deceased and he also demanded dowry. Therefore, she was humiliated and committed suicide by hanging in her matrimonial home. However, as far as the petitioner is concerned whenever the allegations was informed to her, she had never mind about the allegations as against her son. Except these allegations, no other allegation is as against the petitioner.



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6. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioner does not require in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate-I, Tindivanam, 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.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two 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.

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