



Crl.O.P.No.17155 of 2022

WEB COPY

**Crl.O.P.No.17155 of 2022**

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

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498-A, 294(b), 506(ii) and 34 of IPC, in Crime No.8 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the 1<sup>st</sup> petitioner married the defacto-complainant Subashree on 01.09.2021, the 2<sup>nd</sup> petitioner is the mother and the 3<sup>rd</sup> and 4<sup>th</sup> petitioners are the sisters of the 1<sup>st</sup> petitioner and the 5<sup>th</sup> petitioner is the husband of the 4<sup>th</sup> petitioner. The petitioners suspected the defacto-complainant since she was on her mobile all day and also that they nursed a grudge that she did not bear any children and there was an unfulfilled demand of 1 sovereign for Deepavali. On 18.03.2022, the petitioners 1 to 5 dropped the defacto-complainant in her parental home and demanded 10 sovereigns, if she wanted to come back. Hence, the complaint.



Crl.O.P.No.17155 of 2022

WEB COPY

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Public Prosecutor (Pondicherry) would submit that the petitioners suspected the defacto-complainant since she was on her mobile all day and also that they nursed a grudge that she did not bear any children. Thereafter, they dropped the defacto-complainant in her parental home and demanded 10 sovereigns, if she wanted to come back. However, 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 petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in



Crl.O.P.No.17155 of 2022

the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Chief Judicial Magistrate, Puducherry, on condition that the petitioners 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 conditions 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 1<sup>st</sup> petitioner alone 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 other petitioners shall appear before the respondent police as and when required for interrogation.

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

rgi/ham

[d] the petitioners shall not tamper with evidence or witness either



Crl.O.P.No.17155 of 2022

during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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 laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

**28.07.2022**

rgi/ham

**Crl.O.P.No.17155 of 2022**