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Crl.O.P.No.17499 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 174 (3) later altered into Sections 294(b), 323 and 306 IPC, in Crime No.184 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that, petitioners are in-laws of the defacto complainant. It is alleged that A1/husband along with the petitioners harassed the defacto complainant by demanding more dowry, due to which, the deceased committed suicide. Hence, the complaint.

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

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4. The learned Additional Public Prosecutor that A1 was already arrested and remanded to judicial custody and the petitioners are in-laws of the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the 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 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 Judicial Magistrate, Chengam** on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood 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

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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 first petitioner shall report before the respondent police twice daily at 10.30 a.m., and 04.30.p.m., for a period of four weeks and other petitioners shall report before the respondent police 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 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.

01.08.2022

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