



Crl.O.P.No.18547 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 109 and 315 IPC in Cr.No.27 of 2022, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that there was dowry demand by the first accused, who is husband of the defacto complainant and the petitioners herein. Thereafter, the first accused and the petitioners harassed the defacto complainant. Due to which, the defacto complainant sustained miscarriage of child. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have nothing to do with the alleged offence and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



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4.The learned Additional Public Prosecutor appearing for the respondent submitted that the first accused along with the petitioners harassed the defacto complainant and demanded dowry. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, 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 Additional Mahila Court, Salem, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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:



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[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 second petitioner shall report before the respondent police daily at 10.30 for a period of two weeks and thereafter as and when required for interrogation and the first petitioner shall appear 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.

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