



Crl.O.P.No.20223 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 498A and 506(i) of IPC in Crime No.19 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife. The first petitioner and his parents have demanded dowry from the defacto complainant and committed cruelty on her by mentally and physically. 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 such offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned counsel for the Intervenor would submit that the petitioners harassed the defacto complainant to the core by demanding huge dowry. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. The learned Additional Public Prosecutor would submit that this Court dismissed the petitioner's earlier anticipatory bail petition vide order dated 12.08.2022 in Crl.OP.No.18879 of 2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Though this Court dismissed the petitioner's earlier anticipatory bail petition vide order dated 12.08.2022 in Crl.OP.No.18879 of 2022, so far, the petitioner was not yet secured by the respondent police and there is only a family dispute between the husband and wife, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. 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 made ready, before the ***learned Judicial Magistrate, Ambattur*** 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.

[b] the petitioner shall file an affidavit that he will not indulged in any such activity in future before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order, failing which, the anticipatory bail granted to the petitioner shall stand automatically cancelled and the respondent Police shall secure the petitioner and proceed in accordance with law.



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[b] the petitioner shall report before the respondent police daily twice at 10.30 a.m and 5.30 p.m., for a period of six 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.

Vv

25.08.2022



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