



Crl.O.P.No.20270 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498A, 506(i), 120(b) of IPC in Crime No.5 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the first petitioner/first accused are wife and husband and the other accused are in-laws of the defacto complainant. It is alleged that the petitioner has mentally harassed her by demanding more dowry , but the defacto complainant has not able to satisfy the demand, for which, the first petitioner/first accused has tortured and assaulted her, thereby, she became unconscious and thereafter, she was rescued by her neighbours and immediately she was hospitalized. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely



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implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor would submit that the petitioner has mentally harassed her by demanding more dowry, but the defacto complainant has not been able to satisfy the demand, for which, the first petitioner/first accused has tortured and assaulted her, thereby, she became unconscious and thereafter, she was rescued by her neighbours and immediately she was hospitalized. Hence, he strongly opposed to grant anticipatory bail to the petitioners. .

5. The learned Government Advocate (Crl.Side) would submit that the first petitioner has mentally harassed the defacto complainant by demanding more dowry. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Considering the above fact and circumstances of the case and also considering the submissions made by both counsel, this Court is



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inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 XVII Metropolitan Magistrate, Saidapet*** on condition that the petitioners shall execute separate bonds 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:

[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.



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[b] the 1st petitioner 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 and the petitioners 2 and 3 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.

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