



Crl.O.P.No.21380 of 2022

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A.D.JAGADISH CHANDIRA.J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **498(A), 323 of IPC read with Section 4 of TNPWH Act** in Crime No.11 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Alish is that the marriage of the first petitioner and the defacto complainant was solemnized two years ago and it was a love marriage. However, after the marriage, husband of the defacto complainant along with his parents had harassed the defacto complainant and demanded Rs.6 lakhs as dowry. Further, the father-in-law had misbehaved with the defacto complainant in the absence of her husband. Hence the case.



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3. The learned counsel appearing for the petitioners would submit that the marriage between the first petitioner and the defacto complainant was solemnized two years ago and it was a love marriage. However, due to matrimonial dispute, a false complaint has been given by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel appearing for the petitioners would submit that the marriage between the first petitioner and the defacto complainant was solemnized two years ago and it was a love marriage. Thereafter, the petitioner had demanded Rs.6 lakhs as dowry and a sum of Rs.1,15,000/- was paid by the defacto complainant's mother. Subsequently, they had harassed the defacto complainant, Hence, he oppose to grant anticipatory bail to the petitioners.

4. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.side) and perused the First Information Report.



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5. Taking into consideration of the submissions made and the facts 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court, Thirutani**, 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 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.



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

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

06.09.2022

Sma

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