



Crl.O.P.No.21901 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 offence punishable under Section 306 of IPC in Crime No.256 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/ mother of the victim is that the marriage of her daughter Vijayalakshmi was solemnized on 19.02.2010 with one Deepak and out of the wedlock, they have two girl children, aged about 13 and 7 years respectively. For the past two years, her son in law had been harassing her daughter for money. Thereby, on 20.08.2022, the defacto complainant along with the other relatives had gone to the house of her daughter for compromise. Despite the compromise, in-laws of the Vijayalakshmi are harassing her continuously by demanding dowry, due to which, she had committed suicide by jumping into the water channel along with her two children. Unfortunately, one child had died and the other one was saved. Hence, the case.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent person and they have been falsely implicated in this case. He would further submit that the petitioners are in-laws of the deceased and that the marriage between the deceased and their son was solemnized on 19.02.2010. Further, there was a frequent quarrel between the couples, due to which, the victim had committed suicide along with her children. Unfortunately, one child was died and another child was saved. He would further submit that there is no specific allegation against the petitioners as if they abetted the victim to commit suicide. The respondent have arrested the first accused/ petitioners' son and he is still in custody. The petitioners have nothing to do with the death of the deceased. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners are in-laws of the deceased. The deceased was married to the petitioners' son 13 years back. They have two girl children and that the first accused had harassed the victim to get money from her parents and subsequently, the petitioners have also abused



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the victim, due to which, she committed suicide along with her two children.

Unfortunately, one child had died and another child was saved. He would further submit that the statement of that saved girl has been recorded under Section 164 of Cr.P.C. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both the learned counsel and perused the materials.

6. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel and also taking note of the fact that the petitioners are the aged parents of the 1st accused, this Court is 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 Judicial Magistrate, Gobichettipalayam, Erode** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty**



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Five 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 automatically 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., for a period of two weeks and thereafter, every Saturday at 10.30 am until further orders.**

[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.



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[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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