



Crl.O.P.No.23801 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Section 174(3) Cr.P.C. @ 306 I.P.C. in Crime No.375 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the victim and the petitioner was solemnized on 07.02.2022. After the marriage, the victim was harassed by the petitioner and his mother, even when she was four months pregnant. Due to which, the victim had committed suicide by hanging in her parental home. Hence the complaint.

3.Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The petitioner is the husband of the deceased and he always had a cordial relationship with his wife. There was a quarrel only between the petitioner's mother and the victim, thereby, the victim committed suicide by hanging leaving behind a suicide note



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implicating the petitioner's mother for demanding more dowry. He added that R.D.O. enquiry in this regard has been concluded and there was no demand of dowry. The main accused, the mother of the petitioner was arrested and enlarged on bail by this Court vide Crl.O.P.No.23888 of 2022 dated 30.09.2022. Accordingly, prays for grant of anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl.Side) would submit that the petitioner is the husband of the deceased. He further submitted that the marriage between the victim and the petitioner was solemnized on 07.02.2022 and that the victim was four months pregnant at the time of committing suicide, due to the harassment of the petitioner's mother. The victim had committed suicide due to matrimonial cruelty, however, he would submit that the victim has left a suicide note implicating the petitioner's mother, who has been arrested and enlarged on bail by this Court in Crl.O.P.No.23888 of 2022 dated 30.09.2022. He added that they had also received R.D.O report, wherein, it has been stated that there was no demand of dowry, but there were frequent quarrels in the family.



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Therefore, he opposed to grant anticipatory bail to the petitioner.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the XVIII Metropolitan Magistrate Court, Saidapet, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty 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



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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 report before the respondent Police daily at 10.30 a.m., for a period of four (4) weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[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.**



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State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh

F.I.R can be registered under Section 229A IPC;

12.10.2022

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