



Crl.O.P.No.23822 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), 406 and 420 of IPC r/w Section 4 of the Dowry Prohibition Act, 1961, in Crime No.18 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that the marriage between her and first accused/A1 was solemnized on 04.03.2019 at Chennai and thereafter her husband and in-laws harassed her and demanded huge dowry from her. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they are parents of the first accused/A1 and they have been falsely implicated by the respondent police. He would further submit that the marriage between their son and the de facto complainant was performed on 04.03.2019. Due to the dispute between



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them, their son had issued legal notice to the de facto complainant on 15.11.2019 and later their son preferred a Divorce Petition in I.D.O.P.No.350 of 2022 before the Principal District and Sessions Court, Tiruvallur. Only thereafter, a fresh complaint was given, as if there was a demand of dowry and harassment. He would further submit that the first accused/A1 has been arrested and enlarged on anticipatory bail by this Court in Crl.O.P.No.24412 of 2022. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) would submit that the petitioners and their son had physically and mentally tortured the de facto complainant demanding more dowry and also misappropriated her while she was pregnant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel on both sides and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case and the submissions made on both sides, I am 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, Ambattur** on condition that **each of 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 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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