



CrI.O.P.No.24147 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 offences punishable under Sections 498(A) and 406 of I.P.C, in Crime No.22 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Rani is that the marriage between her and the defacto complainant was performed on 07.12.2020. The allegation is that the husband of the defacto complainant and his relatives had harassed her taken away her jewels and demanded more dowry and also abetted her to commit suicide.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and false complaint has been lodged against him. He would further submit that, the petitioner understands that the marriage was performed against the wishes of the defacto complainant and thereby she left the matrimonial home. Thereafter, the petitioner filed a divorce petition in O.P.No.5334 of 2021 on the file of learned VI



Additional Family Court, Chennai on the ground of cruelty and the same is pending. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that, the petitioner who is the husband of the defacto complainant along with his family members harassed the defacto complainant by demanding more dowry. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioner is 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 Additional Mahila Court (Magistrate Level), Egmore, Chennai - 600 008** on condition that the petitioner shall execute separate 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 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 two weeks and thereafter as and when required for interrogation.

[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. State of Kerala [(2005)AIR SCW 5560]**.

A.D.JAGADISH CHANDIRA,J.

Sma



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.10.2022

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