



Crl.O.P.No.24877 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 alleged offence punishable under Sections 498(A) I.P.C. in Crime No.17 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that the petitioner along with his son / A1 had harassed her, demanded dowry and she was thrown out of her matrimonial house. Hence the complaint.

3.Learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He added that the petitioner is none other than the father of A1 and he is a senior citizen. Hence, he prays to grant anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl. Side) would submit that



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the petitioner along with his son A1 is stated to have harassed the defacto complainant and demanded dowry and thrown her out of the matrimonial house. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner 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 Judicial Magistrate No.I, Poonamallee, 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 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



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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 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]; and;

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

14.10.2022

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