



Crl.O.P.No.25345 of 2022

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 417, 498-A, 294(b), 506(i) IPC in Crime No.5 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the marriage between petitioner and the defacto complainant was solemnized in the year 2012 and thereafter, the petitioner/accused along with his mother and sister-in-law harassed and demanded more dowry and also the petitioner is said to have suppressed his earlier marriage with another women. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to a matrimonial dispute, a false complain has been given by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner suppressing the earlier marriage, married the defacto



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complainant in the year 2015 and also alleged to have demanded dowry from her. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

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 District Munsiff Cum Judicial Magistrate Court, Neyveli, Cuddalore District 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 Left Thumb Impression in the surety bond and the Magistrate may



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

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

19.10.2022

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