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Crl.O.P.No.25212 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 Section 174(3) of Cr.P.C. @ Section 306 of IPC in Crime No.94 of 2019 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Manikandan is that his daughter/deceased Bharathi was married to A1/Johnson on 14.12.2018 and due to continuous harassment by the said Johnson and his parents, the deceased had committed suicide on 17.02.2019 by hanging. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are parents of A1 and they are innocent. He would further submit that it was a 2nd marriage for their son and the deceased Bharathi and they were living separately. Due to matrimonial dispute, the deceased committed suicide at her residence. He would further submit



Crl.O.P.No.25212 of 2022

that RDO enquiry was conducted and it was found that there was no demand for dowry and there is no specific allegations as against them for having abetted the suicide of the said Bharathi. Their son/A1 was arrested and enlarged on bail. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners are parents of A1/main accused. They along with their son had harassed the victim due to which she committed suicide by hanging. A1 has been arrested and enlarged on bail. He would further submit that the investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are ordered to be released on bail



Crl.O.P.No.25212 of 2022

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 DMC cum Judicial Magistrate, Gumudipoondi**, on condition that each of the petitioners shall execute a 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 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.

[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.



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CrI.O.P.No.25212 of 2022



WEB COPY



Crl.O.P.No.25212 of 2022

A.D.JAGADISH CHANDIRA, J.
mpl

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

26.10.2022

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Crl.O.P.No.25212 of 2022