



Crl.O.P.No.27691 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) and 406 of IPC, in Crime No.33 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant Praveena is that the marriage between her and the first petitioner/A1 was performed on 13.06.2019. The further case is that A1 along with his mother/A2 harassed the de facto complainant and demanded huge dowry from her and further in an inebriated condition, from the date of their marriage, the first petitioner/A1 used to harass her. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the marriage between the de facto complainant and the first petitioner/A1 was



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performed on 13.06.2019. Due to matrimonial dispute, the de facto complainant had deserted the first petitioner/A1 and living separately and a false complaint has been given as if there was a demand of dowry. He would also submit that a case of matrimonial dispute is blown out of proportion. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent would submit that the petitioners are husband and mother-in-law of the de facto complainant respectively. He would further submit that the marriage between the first petitioner/A1 and the de facto complainant was performed on 13.06.2019 and thereafter, the first petitioner/A1 had received about Rs.6,00,000/- for running a business and he failed to return the same to the de facto complainant's father. He would further submit that the first petitioner/A1 along with his mother/A2 had demanded huge dowry from the de facto complainant and also attacked and abused her with filthy language. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



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

6. Taking into consideration the facts and circumstances of the case and the submissions made on both sides, this Court is 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 **Additional Mahila Court at Coimbatore**, on condition that **each of the petitioner 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:



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[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 first petitioner/A1 shall report before the respondent police everyday at 10.30 a.m., until further orders and the second petitioner/A2 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]**.



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

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