



Crl.OP.No.28961 of 2022

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

The petitioner, who apprehends arrest for the alleged offence under Sections 498 (A), 325 and 120B IPC in Crime No.11 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and A1 was solemnized on 26.01.2011. Out of the wedlock, they have two sons aged 10 years and 6 years. The further allegation is that A1 developed intimacy with A2 and had also harassed the defacto complainant and demanded dowry from her. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would submit that the petitioner is the colleague of A1 one Danial. The defacto complainant, who is the wife of the said Danial had given a false complaint against the petitioner as A1 had illicit intimacy with the petitioner and the petitioner having threatening the



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defacto complainant to get away from A1. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned learned Additional Public Prosecutor appearing for the respondent would submit that A1 developed intimacy with A2/petitioner and had harassed the defacto complainant and demanded dowry from her. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty



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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, on every Saturday 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



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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.

25.11.2022

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