



Crl.O.P.No.30990 of 2022

WEB COPY

Crl.O.P.No.30990 of 2022

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police punishable for the offences punishable under Sections 294(b), 420 & 506(i) IPC r/w Section 4 of Dowry Prohibition Act, 1961, in Crime No.49 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Jayalakshmi is that the accused proposed the de-facto complainant's daughter for alliance through online matrimony site and arranged to perform marriage. While so, after engagement, the accused have repeatedly demanded 50sovereigns of jewels and other items as dowry and also abused the de-facto complainant and her daughter in a filthy language and call off the marriage, due to which the de-facto complainant's daughter attempted suicide by consuming acid. Based on the complaint given by the de-facto complainant, the case in Crime No.49 of 2022 was registered for the offences punishable under Sections 294(b), 420 & 506(i) IPC r/w Section 4 of Dowry Prohibition Act, 1961. Hence the case.



CrI.O.P.No.30990 of 2022

WEB COPY

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case. He further submitted that due to some misunderstanding between two family, the false case has been given against the petitioners. He also stated that there is no demand of dowry. He also submitted that she is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (CrI.Side) appearing for the respondent submitted that the petitioners have harassed the de-facto complainant and her family members under the guise of demanding dowry after performing engagement. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.



CrI.O.P.No.30990 of 2022

WEB COPY

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel that the petitioners, 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 **learned Judicial Magistrate, Pallavaram, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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;



CrI.O.P.No.30990 of 2022

[b] the first petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation;

[c] the second petitioner shall report before the respondent police as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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];**

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

22.12.2022

ham



WEB COPY



Crl.O.P.No.30990 of 2022

T.V.THAMILSELVI,J.

ham

Crl.O.P.No.30990 of 2022

22.12.2022