



Crl.OP.No.32433 of 2022

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**A.A.NAKKIRAN, J.**

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 420, 406, 506(2), 34 of IPC and 3(1) and 4 of Dowry Prohibition Act, 1961 in Crime No.14 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the sister in law of the daughter of defacto complainant and the second petitioner is the husband of the first petitioner and they are alleged to have demanded dowry. Hence, the defacto complainant had filed the present complaint and the respondent police had registered the above First Information Report arraying the petitioners as A4 and A5.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in the case. He would further submit that it is a matrimonial dispute. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the



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petitioners had demanded dowry from the daughter of the defacto complainant and based on the complaint lodged by the defacto complainant, the respondent police has registered the above FIR. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute and the first petitioner is the sister in law of the daughter of defacto complainant and the second petitioner is the husband of the first petitioner, 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 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 XVII Metropolitan Magistrate, Saidapet, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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



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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 daily 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 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.

28.12.2022

**A.A.NAKKIRAN, J.**



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