



Crl.O.P.No.856 of 2023

Crl.O.P.No.856 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Section 304(B) of IPC in Cr.No.866 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to matrimonial dispute, on the ground of dowry harassment, the daughter of the defacto complainant has committed suicide. The petitioners and A1 had abetted the victim to commit suicide by hanging. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that totally there are three accused, the petitioners are arrayed as A2 & A3. He



CrI.O.P.No.856 of 2023

further submitted that the petitioners are stated to have been abetted the deceased to commit suicide by demanding dowry. The deceased is having one year old child and now the child is in the custody of her parents. He further submit that A1 was arrested and released on bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **XIII Metropolitan Magistrate Court, Egmore, Chennai**, condition that the petitioners shall execute a 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 and on further condition that:



CrI.O.P.No.856 of 2023

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 on every Wednesday at 10.30 a.m for a period of twelve weeks and thereafter, as and when required for interrogation;

(c) 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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

12.01.2023

vsn

T.V.THAMILSELVI, J.



WEB COPY



Crl.O.P.No.856 of 2023

vsn

Crl.O.P.No.856 of 2023

12.01.2023