



CRL.O.P.No.1540 of 2023

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T.V.THAMILSELVI,J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 498(a), 352, 506(1) IPC & Section 4 of the Tamil Nadu Prohibition of Harassment of women Act, 1998, in Crime No.1 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and his family members demanded dowry from the defacto complainant and thereafter left her matrimonial home and lived with her parents. Hence, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person, and he has been falsely implicated in this case. He would further submit that the matter has been referred to mediation Centre on 30.01.2023, and the matter was settled before the mediation between the parties and terms of settlement also informed by the presiding officer in Mediation Centre. In that mediation, the Mediation is completed and the Settlement Agreement also enclosed. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) would submit

that both parties are directed to appear before the Mediation Centre on 30.01.2023. Mediation Completed and the settlement Agreement also enclosed in this regard.

5. Considering the facts and circumstances, that the matter was settled through mediation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate I, Kallakurichi, on condition that the petitioner shall execute a 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 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 as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either



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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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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