



Crl.O.P.No.3164 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 174(iii) Cr.P.C altered to 498(A), 304(B) of IPC, in Crime No.164 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.03.2022, due to wordy quarrel between the petitioners and the defacto complainant's sister, she committed suicide by hanging. Further it was alleged that the petitioners herein demanded dowry from the deceased, due to which, she committed suicide. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have never demanded dowry from the deceased and they are living separately and due to some wordy quarrel between the petitioners and the defacto complainant, she commits suicide leaving a male child, He further



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submits that their another son is going to get marry on 10.02.2023, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there are totally three accused in this case and the petitioners herein are arrayed as A2 and A3 and he further stated that A1, who is the husband of the deceased was already arrested and he was still in custody. He further submits that the investigation is also completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6.Considering the facts and circumstances of the case and also the submissions made by both counsels and also the fact that now the child is under the care of the petitioners, this court is inclined to grant



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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 No.II, Ponneri, on 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, 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.

(b) the first petitioner shall report before the respondent police as and when required for interrogation



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and the second petitioner shall report before the respondent police on every Sunday at 10.30 a.m for a period of eight weeks;

(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 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;

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

09.02.2023

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