



Crl.O.P.No.4273 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 498(A), 406 r/w. 34 of IPC and Section 4 of Dowry Prohibition Act in Crime No.30 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the 1st petitioner is the mother in law of the de-facto complainant and the accused A1 got married to the de-facto complainant and settled in U.S.A. However, at the matrimonial house, the petitioners along with other accused persons ill treated and harassed the de-facto complainant. Hence, this complaint.

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He further more submitted that the accused A1 & A3 were already granted anticipatory bail by this Court, vide order dated 13.12.2022 made in Crl.O.P.No.29687 of 2022. Hence, he prayed for grant



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of anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent submits that absconding charge sheet has been filed as against the petitioners herein in C.C.No.274/2022 on the file of the Judicial Magistrate, Ambattur for the above said offences under Sections 498(A), 406 r/w. 34 of IPC and Section 4 of Dowry Prohibition Act and the petitioners herein along with other accused persons continuously ill treated the de-facto complainant. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the earlier order of this Court has been complied with by the accused persons, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 **Judicial Magistrate, Ambattur**, on condition that the petitioners



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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:

(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 as and when required for interrogation and shall appear before the Trial Court on every hearing date without fail;

(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



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with law as if the conditions have been imposed and
the petitioners released on anticipatory

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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.

24.02.2023

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