



Crl.O.P.No.4413 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 417 and 506(ii) of IPC in Crime No.780 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner and the victim girl were loved each other and the second petitioner, who is the mother of the first petitioner had promised the victim girl that she will perform their marriage, after completing their degrees. Thereafter, the first petitioner refused to marry the victim girl and both the petitioners joined together and demanded a sum of Rs.2 lakhs and 2 sovereign of jewels as dowry for getting married with the first petitioner. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that they are no



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way connected with the alleged offence and they are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the first petitioner and the victim girl were loved each other and the second petitioner had promised the victim girl that she will perform their marriage, after completing their degrees. Thereafter, the first petitioner refused to marry the victim girl and both the petitioners joined together and demanded a sum of Rs.2 lakhs and 2 sovereign of jewels as dowry for getting married with the first petitioner. He would further submit that the investigation has almost been 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.



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6.Considering the facts and circumstances of the case and also the submissions made by the learned counsel and the investigation has almost been completed, this court is inclined to grant 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 Metropolitan Magistrate No.XXIII, Saidapet, on condition that each of 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 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.



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(b) the first petitioner shall report before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of six weeks and the second petitioner shall report before the respondent Police 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 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;

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