

**Crl.O.P.No.4528 of 2023**

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 498A, 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act 2002 in Cr.No.5 of 2023 on the file of the respondent police, seek anticipatory bail.

2. There are three accused in this case. First petitioner is the husband of the defacto complainant. The second and third petitioners are mother in law and father in law of the defacto complainant. The case of the prosecution is that the first petitioner who married the defacto complainant and made her pregnant. Further, the petitioners harassed the defacto complainant for dowry. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, the learned counsel, on instructions, would further submit that the first petitioner, without prejudice to his rights, is ready to



deposit the amount of **Rs.8,000/- (Rupees Eight Thousand only)**

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every month to the credit of the **Defacto complainant's account as interim maintenance**. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the first petitioner who got married with the defacto complainant and after the wedlock, one child was born. He further submitted that there is a family dispute between the petitioners and the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the first petitioner is ready and willing to deposit a sum of **Rs.8,000/- (Rupees Eight Thousand only) every month as interim maintenance** to the defacto complainant's account, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail

WEB COPY in the event of arrest or on their appearance, with a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate No- I, Mayiladuthurai* 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 first petitioner is directed to pay a sum of **Rs.8,000/- (Rupees Eight Thousand only) to the defacto complainant's account on first week of every month as interim maintenance till modified by any of the Court of law.** On such deposit being made, the defacto complainant is permitted to withdraw the said deposit amount of **Rs.8,000/- (Rupees Eight Thousand only) every month.**

(b) the petitioners shall report before the respondent police as and when required for interrogation.

(c) 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;

(d)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 anticipatory 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.

02.03.2023

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To
The Judicial Magistrate No- I,
Mayiladuthurai



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