



Crl.O.P.No.4845 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323, 406 and 506(i) of IPC in Crime No.24 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Parveen Banu is that the marriage between defacto complainant and the first accused was solemnized on 11.07.2019 and that she was working as a Software Engineer. The further allegation is that the first accused along his parents and relatives had harassed the defacto complainant and committed cruelty on her and demanded additional dowry. The petitioners have also leased out the house purchased by the defacto complainant and first accused, to a third party and received a sum of Rs.5,00,000/-. Hence, the complaint.



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3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and due to matrimonial dispute, a false and exaggerated complaint has been given. He would submit that the first accused is ready and willing to reunion with the defacto complainant, whereas she has earlier filed a complaint under Domestic Violence Act and thereafter she has also preferred the complaint before the learned Magistrate, which has been referred to the police for registration of the case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to matrimonial dispute, the petitioners have abused the defacto complainant with filthy language and threatened her with dire consequences and also demanded additional dowry from her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the



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learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, 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 Additional Magila Court, Thiruvallur**, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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



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[b] the 1st petitioner shall report before the respondent police everyday at 06.30 p.m., until further orders.

[c] the petitioners 2 to 4 shall report before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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