



Crl.O.P.No.6384 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.01 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the marriage was performed on 09.02.2022 and the further allegation is that the petitioner along with other accused has harassed her and demanded dowry from her. Hence, the case.

3. The learned counsel for the petitioner would submit that due to matrimonial dispute, a false complaint has been given. He would further submit that it is also a love marriage and there was no demand of dowry and hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that though it is a love marriage, the petitioner along with other accused have demanded dowry and driven the defacto complainant out of matrimonial home and thereby he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on either sides and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Judicial Magistrate Court, Chengalpattu District, on condition that the



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petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties 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 petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m, for a period of four weeks and thereafter on every Saturday at 10.30 a.m, until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 petitioner in accordance with



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law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/TrialCourt himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

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

30.03.2023

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