



Crl.O.P.No.6636 of 2023

A.D. JAGADISH CHANDIRA, J.,

The petitioners, who apprehends arrest for the alleged offences under Section 4 of Dowry Prohibition Act 1961, 498A and 34 of IPC in Crime No.0004 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per Priyanka/defacto complainant is that marriage between her and the first petitioner was solemnised on 25.01.2021 and since she was working in the IT field she was working from home, initially the family life was normal and happy. Later A1 had started to inform all the personal and confidential matters to his mother and thereby the other accused started to have harassed her and also demanded a sum of Rs.10lakhs as additional dowry and driven her out from the matrimonial home. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. The marriage between the first petitioner and the defacto complainant was solemnised on 25.01.2021, due to misunderstanding the defacto complainant had gone out of the matrimonial home and given a false complaint against the petitioners. He would submit that as per the FIR, the defacto complainant has taken back the jewels on 21.02.2021 and only in order to harass the petitioners



the present complaint has been given. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The Government Advocate (Crl.side) Puducherry would submit that the petitioners have harassed the defacto complainant and demanded additional dowry of Rs.10lakhs. Hence, he oppose for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.side) Puducherry, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions :

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before the Chief Judicial Magistrate, Puducherry, on condition that the petitioners shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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.

[b] the first petitioner shall report before the respondent police daily at 6.30pm until further orders. The petitioners 2 to 4 shall report before the respondent police daily at 6.30pm for a period of one week and thereafter 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]***.

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

With the above directions, this Criminal Original Petition is ordered.

28.03.2023

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