



Crl.O.P.No.8106 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 alleged offences punishable under Sections 294B, 323, 506(I) and 498 A of IPC in Crime No.14 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the marriage between the defacto complainant and the petitioner was solemnised in the year 28.01.2021 and the further allegation is that the first accused had harassed her and demanded further dowry and the second and third petitioners who are the father and mother of the first petitioner have abetted A1 in the crime. Hence, the complaint.

3. The learned counsel for the petitioners would submit that it is case of the matrimonial dispute exaggerated. He further submit that the defacto complainant lived with the first petitioner for few months and later she left the matrimonial home and hence, she has given a false complaint against him and the respondent without conducting a preliminary enquiry has straight away registered a case against the petitioners. Hence, he seeks for grant of



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anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the first accused had harassed her and demanded dowry from her and the second and third petitioners who are father and mother of the first petitioner have abetted A1 in the crime. Hence, he would vehemently opposed for grant of anticipatory bail to the petitioners.

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, the also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners 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 **Judicial Magistrate Court No.I, Dharmapuri**, on condition that the petitioners shall execute a 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



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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 at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 a.m, until further orders. The second and third petitioners shall report before the respondent police at 10.30 a.m, 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



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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.

17.04.2023

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