



Crl.O.P.No.9124 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 offence punishable under Sections 173(4) of Cr.P.C @ 304(B) of IPC in Crime No.169 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Kumar is that the defacto complainant's daughter Roja was married to A1 on 16.03.2022 and thereafter, the accused harassed the victim by demanding more dowry, due to which, the victim committed suicide by hanging in the matrimonial home. Hence the case.

3. Learned counsel for the petitioners submitted that the petitioners are in-laws of the victim and son of the petitioners 2 and 3 One Ajithkumar got married to the victim on 16.03.2022 and they were living separately and there was some misunderstanding between them on account of the victim not getting pregnant, thereby the victim committed suicide by hanging and other than that there is no demand of dowry. He



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further submitted that A1/ Ajithkumar was arrested on 18.03.2023 and he has been enlarged on bail by this Court in Crl.O.P.No.10646 of 2023 on 05.05.2023. He also submitted that the petitioners are ready to co-operate with the respondent police for the investigation and they have also appeared for RDO enquiry. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (crl.side) for the respondent submitted that first petitioner is the brother of A1 and the petitioners 2 and 3 are parents of A1 and the marriage between A1 and the victim was performed on 16.03.2022 and the accused have demanded more dowry from the victim and also harassed her, due to which, the victim committed suicide by hanging on 17.03.2023. He further submitted that RDO enquiry is pending and A1 has been arrested and enlarged on bail by this Court. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the entire materials available on



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6. Taking into consideration the facts and circumstances of the case, the submissions of learned counsel on either side and that the main accused in this case has been arrested and enlarged on bail by this Court, 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 Judicial Magistrate No.II, Tiruvannamalai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten 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:



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[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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders.

[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 absconds, a fresh



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FIR can be registered under Section 229A IPC.

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