



Crl.O.P.No.9049 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 143, 294(b), 498A and 506(i) of I.P.C in Crime No.12 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Vinothini is that she was married to first accused/A1 one Sakthivel on 11.02.2022, during such time, they had given several jewels and cash as dowry. The further allegation is that after marriage, the first accused had gone to Singapore without taking her along with him and later the other accused who are the parents and relatives have harassed her and demanded further dowry from her. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and a false complaint has been given. He would



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further submit that the first and second petitioners are parents of the first accused, third petitioner is the brother of the first accused and fourth petitioner is his relative. He would further submit that due to matrimonial dispute, a false complaint has been given. He also submit that already matrimonial proceedings are pending before the Principal Sub Court, Mayiladuthurai. Hence he seeks for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that due to matrimonial dispute, the petitioners who are the parents and relatives of the first accused have harassed the defacto complainant and demanded further dowry from her. Hence he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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, Sirkazhi** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten 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 petitioners shall report before the respondent police daily at 10:30 a.m for a period of two weeks and thereafter on every saturday at 10:30 a.m until further orders.



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[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 FIR can be registered under Section 229A IPC;

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