



Crl.O.P.No.11983 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 498(A), 352 and 506(i) of I.P.C. in Crime No.7 of 2023, on the file of respondent police, seek anticipatory bail.

2. The case of prosecution is that the petitioner married the defacto complainant in the year 2007. At the time of marriage, 35 sovereigns of gold jewels along with household articles were given as Sridhana. The defacto complainant gave birth to two female child. The petitioner sold the sridhana properties and demanded money from her brother, due to which, there was a wordy quarrel between them, thereby the petitioner said to have abused her in filthy language and refused to give money for her medicines. Hence, the defacto complainant left her matrimonial home and to secure her daughters, the complaint was registered against the petitioner.



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3. The learned counsel appearing for petitioner submitted that in fact, the defacto complainant taking pills for her depression prior to marriage and the same was suppressed by her family members. He would submit that he has not at all committed any of offence as alleged by the respondent police and he will abide by any condition that may be imposed by this court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there was a wordy quarrel between them, thereby the petitioner abused her and demanded to get money from her brother and also assaulted with hand. He would submit that that if he is released on anticipatory bail, he may tamper the witnesses and hamper the investigation and now the investigation is almost completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and considering the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 Judicial Magistrate No.I, Mannargudi, on condition that the petitioner shall execute a 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:

[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 stay at Vellore and appear before Vellore Town police everyday at 10.30 a.m. for the period of four weeks and thereafter, every alternative days for a period of four weeks and thereafter, as and when required for investigation.

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



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[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 law as if the conditions have been imposed and the petitioner 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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