



Crl.O.P.No.12697 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 498(A), 494, 294(b), 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, Section 4 of Dowry Prohibition Act in Crime No. 9 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant had married the first accused on 09.02.2019 and the first accused along with his parents had abused and harassed her and demanded additional dowry from her. It is the further allegation that the first accused got married to another woman without the knowledge of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are the relatives of the first accused and the first accused was



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arrested and released on bail. The major allegation are attributed only in respect of the first accused and thereby, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the first accused got married to the defacto complainant and demanded more dowry. Since, the defacto complainant got pregnant, she went to her parents house for delivery. While being so, the first accused got married with another woman and residing with her without the knowledge of the defacto complainant and when the same was questioned by the defacto complainant and her family members, the petitioners along with other accused have threatened them with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) and perused the materials available on record.



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6. Considering the above fact and circumstances of the case and also the submissions made by the learned counsel on both sides, 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, Madurantakam**, on condition that the petitioners shall execute separate bond 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.



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[b] the petitioners shall report before the respondent police everyday at 10.30 a.m, for a period of two weeks and thereafter on every Saturday 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 FIR can be registered under Section 229A IPC.

12.06.2023

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