



Crl.OP.No.13071 of 2---

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A.D.JAGADISH CHANDIRA, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 498(A), 294(b), 352 of IPC and Section 4 of Dowry Prohibition Act in Crime No.10 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution, as per the defacto complainant is that the 1st petitioner is her husband and the other petitioners 2 to 4 are in-laws . The marriage was solemnized between her and the first petitioner/husband 12 years ago and they got two sons aged about 12 and 9 years. Her husband and his family members had harassed her by demanding more dowry. Based on the complaint lodged by the defacto complainant, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioners would submit that this is the petitioners' second application for anticipatory bail. He would further submit that earlier the petitioners were granted anticipatory bail by this Court in Crl.OP.No.276 of 2023 dated 18.04.2023 However, the petitioners were unable to execute a bond within a stipulated time and thereby the



petitioners' earlier order got lapsed. Hence, the present petition and he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioners were earlier granted anticipatory bail in Crl.OP.No.276 of 2023 dated 18.04.2023 and they were unable to comply with the condition as directed by this Court. Hence, he would vehemently oppose to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on records including the FIR.

6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel and the petitioners have voluntarily come forward to execute bond, 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 Ambur* on condition that each of the petitioners shall execute own bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with one surety, 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/trial Court 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 every day 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] 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



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bail by the learned Magistrate/Trial Court, as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;

[f] if the petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

15.06.2023



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