



Crl.O.P.No.13795 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498A, 506(1) of IPC in Crime No.10 of 2019, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner, who is the husband of the defacto complainant, had demanded more dowry, harassed and driven out from the matrimonial home. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and due to matrimonial dispute, a false complaint has been given by the defacto complainant. He further submitted that the defacto complainant has lived with the petitioner only for a period of two months and thereafter, she had left the matrimonial home. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner, who is the husband of the



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defacto complainant, had demanded more dowry and harassed and driven out from the matrimonial home. He further submitted that the investigation has been completed and filed final report. In the final report, the petitioner has shown as absconding accused and absconding charge sheet has been filed and the same was taken on file in C.C.No.222 of 2020 on the file of the Additional Mahila Court, Dharmapuri. Hence, he would vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel on either sides and perused the entire materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case, the also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 **Additional Mahila Court (Magisterial Level), Dharmapuri**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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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 report before the Trial Court on all working days at 10.30 a.m., for a period of two weeks and thereafter on all hearing dates;

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

[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



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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.

21.06.2023

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