



Crl.O.P.No.13702 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 offences punishable under Sections 294(b), 323, 506(i), 498(A) of IPC read with Section 4 of Dowry Prohibition Act in Crime No. 2 of 2020, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the accused persons who are the husband and family members of the defacto complainant had harassed her and demanded additional dowry of of 55 sovereign of gold jewels and had driven her out from the matrimonial home. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the husband of the defacto complainant and other petitioners are the relatives of the first petitioner. He would further submit that the petitioners are innocent persons and due to matrimonial dispute, a false complaint has been given by the defacto complainant as



Crl.O.P.No.13702 of 2023

against the petitioners. He would further submit that the petitioners are ready to abide by any stringent condition as may be directed by this Court and would seek for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioners stating that the first petitioner who is the husband of the defacto complainant along with the other accused, harassed the defacto complainant and demanded additional dowry of 55 sovereign of gold jewels and had driven her out from the matrimonial home.

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

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CrI.O.P.No.13702 of 2023

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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, Mahila Court, Perambalur** on condition that the each of the petitioner shall execute a separate 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 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 first petitioner shall report before the respondent Police every day at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 am., until further orders and the other petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter as and**



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CrI.O.P.No.13702 of 2023

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 petitioner released on 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 petitioners herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. Accordingly, the Criminal Original Petition is ordered.

21.06.2023

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WEB COPY



Crl.O.P.No.13702 of 2023

mfa

Crl.O.P.No.13702 of 2023

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