



Crl.O.P.No.13762 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 offences punishable under Sections 498(A), 406 of IPC and Section 4 of Dowry Prohibition Act in Crime No. 14 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Bharathi is that the defacto complainant and the petitioner fell in love in the year 2015. The marriage between the defacto complainant and the petitioner was solemnized during August 2020. Further allegation is that the accused persons are the husband-A1 and relatives of A1 had demanded more dowry from the defacto complainant and driven her out from the matrimonial home. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case. Admittedly, even as per the defacto complainant, since she was in love with the petitioner, the marriage between the defacto complainant



Crl.O.P.No.13762 of 2023

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and the petitioner was solemnized during August 2020 and later due to misunderstanding, a false complainant has been given by the defacto complainant as against the petitioner. He would further submit that the petitioner is ready to abide by any stringent condition as may be directed by this Court and would seek for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioner who is the husband of the defacto complainant along with his family members harassed her and demanded dowry. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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 petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in



CrI.O.P.No.13762 of 2023

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, Ambattur** 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/trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police every day at 10.30 a.m., until further orders.

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



Crl.O.P.No.13762 of 2023

[d] the petitioner 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 petitioner 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 petitioner 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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Crl.O.P.No.13762 of 2023

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Crl.O.P.No.13762 of 2023

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