



Crl.O.P.No.13789 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 498(A), 294(b) and 506(i) of IPC in Crime No. 16 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Srinithi is that marriage between the defacto complainant and the first petitioner was solemnized on 13.06.2022 and during such time, 30 sovereigns of jewels and household articles were given as sreedhana. Further allegation is that they were living in a separate house at Bangalore and during such time, the 1st accused/ first petitioner herein harassed the defacto complainant and later driven her out from the matrimonial home. Further allegation is that the petitioners trespassed into the defacto complainant's parents house and demanded 50 sovereigns of jewels and assaulted her. Hence the complaint.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and due to matrimonial dispute, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would submit that the petitioners are ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that due matrimonial dispute, the first petitioner who is the husband of the defacto complainant along with other petitioners who are in-laws of the defacto complainant, harassed the defacto complainant and driven her out from the matrimonial home. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



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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.

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 Additional Mahila Court, Judicial Magistrate Court, Krishnagiri** 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 :



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[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 6.30 pm., until further orders and the other petitioners shall report before the respondent Police every day at 6.30 pm., 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 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;



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[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.

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