



Crl.O.P.No.15548 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under **Section 498A of IPC in Crime No.17 of 2023** on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is the husband of the *de-facto* complainant. They got married on 15.03.2020. Due to some marital difference of opinion, *de-facto* complainant gave a complaint making exaggerated and false allegations. Apprehending arrest in Crime No.17 of 2023 registered for the offences under Section 498A of IPC, this petition is filed by the petitioner.

3. Learned Government Advocate (Criminal side) submitted that the allegation against this petitioner and his parents is that they have cheated the *de-facto* complainant. They claimed that petitioner is a Siddha Doctor, but he is only a driver. The other allegations include cruelty perpetuated against the *de-facto*



CrI.O.P.No.15548 of 2023

complainant by the petitioner and his parents.

4. Considering the nature of the allegations made in the First Information Report and also the fact that it is a matrimonial dispute, this court is of the view that custodial interrogation of the petitioner is not necessary. 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 learned Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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CrI.O.P.No.15548 of 2023

[b] the petitioner shall report before the respondent police everyday at 10.00 a.m., until further orders;

[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 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.

18.07.2023

mpl



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