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Crl.O.P.No.16281 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 **Sections 294(b), 498A, 506(I) of IPC in Crime No.09 of 2023** on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is the 2nd accused in this case. She is the sister of A1. A1 and the *de-facto* complainant got married on 22.05.2017. The petitioner was living with her husband in Singapore. Only in 2022, she came back to India. She has no connection with the matrimonial life between the *de-facto* complainant and A1. However, *de-facto* complainant has falsely implicated the petitioner and her husband in the complaint given against her husband. Apprehending arrest in Crime No.09 of 2023 for the offences under Sections 294(b), 498A, 506(I) of IPC, this petition is filed by the petitioner.

3. In response, learned Government Advocate (Criminal side) submitted that, FIR was registered only on 02.07.2023 and the



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investigation is in preliminary stage.

4. Considered the rival submission and perused the records.

5. From the FIR allegations, it is seen that generalized allegations are made against all the accused with regard to demand of dowry. However, specific allegations of cruelty are made only against the *de-facto* complainant's husband. The allegations against this petitioner and her husband is that they commented that jewel brought by her is not sufficient. They joined A1 in harassing and committing cruelty against the petitioner.

6. Considering the fact that, the issue involved in this case is a matrimonial issue and the petitioner is the sister of A1 and she has a separate family and living separately, this court is of the view that custodial interrogation of the petitioner is not necessary. 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 No.1, Mannargudi, Tiruvarur District**, on condition



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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.

[b] the petitioner shall report before the respondent police everyday at 10.30 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.



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[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.

25.07.2023

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