



Crl.O.P.No.16987 of 2020

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 494, 498A r/w 34 of IPC and Section 4 of Dowry Prohibition Act in Crime No.not known, on the file of the respondent police, seek anticipatory bail.

2. When the matter came up before this Court on 22.10.2020, the learned Public Prosecutor (Puducherry) submitted that, the parties had appeared before the Investigation Officer and stated that there is a possibility of reunion. However, in order to obtain divorce, the parties had filed application seeking divorce on mutual consent before the Court.

3. In view of the particular facts and understanding between the petitioners and the defacto complainant, without entering into any discussion or allegations raised against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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4. 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, Puducherry** on condition that the petitioners 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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, once in a week, i.e., every Saturday at 10.30 a.m., until further orders;

[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;



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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