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Crl.O.P.No.22566 of 2022

Crl.O.P.No.22566 of 2022
and
Crl.M.P.No.7657 of 2023

A.D.JAGADISH CHANDIRA, J.,

The petitioners, who apprehend arrest at the hands of the respondent/ Police for the offences punishable under Sections 498A, 406 and 506(i) of IPC in Crime No.10 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Mrs.Saisruthi is that marriage between the first accused and the defacto complainant was solemnized on 16.08.2018 at Hyderabad and thereafter, they were living at Chennai. Due to matrimonial dispute, the petitioners, who are the husband and in-laws of the defacto complainant, harassed the de-facto complainant. Further allegation is that the first accused along with their in-laws demanded additional dowry from her. Hence the complaint.



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3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The defacto complainant has given a false exaggerated complaint by making weird and false allegations against the petitioners. The matter was referred to mediation centre and despite the first petitioner/husband ready and willing to live with the defacto complainant, the defacto complainant is not willing to return back to matrimonial home.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the first petitioner is the husband of the defacto complainant and their marriage took place in the year 2018. The further allegation is that the petitioner along with his relatives, harassed the defacto complainant and also demanded additional dowry.

5. Learned counsel for the intervenor has submitted that the marriage between the defacto complainant and A1 took place on 16.08.2018. The petitioner along with his in-laws harassed the de-facto complainant and demanded dowry from her.



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6. Heard both sides and perused the materials available on record including the FIR.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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, Egmore, Chennai** on condition that the each of 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 :



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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 petitioners shall report before the respondent Police every day at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 am., 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;

[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 petitioners 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.

9. Accordingly, the Criminal Original Petition is ordered.

Consequently, connected miscellaneous petition is closed.

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