



Crl.O.P.No.19160 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest for the alleged offences punishable under Sections 406 & 498 (A) IPC, in Crime No.18 of 2023, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) on behalf of the respondent.

3.The complaint had not been given by the wife, who was subjected to dowry demand, but by her father. It is stated that he had given the complaint on behalf of his daughter and he was also abused by the petitioners. If that be the case, the provisions of law under which the FIR had been registered should have been different, relating to that incident and not for dowry demand. It is stated that the husband and wife were divorcees. They unfortunately also separated after their marriage. The quarrel between them had been further fuelled by the interference of the father on one side and the mother on the other side, which has now escalated into a demand for return of jewels. Unfortunately, the mother or father both are not interested to ensure their children live again together.



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4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners. 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 **Additional Mahila Court, Coimbatore**, 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, for a period of two weeks and thereafter as and when required.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners 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 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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