



Crl.O.P.No.25403 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 498(A) and 506(i) of IPC in Crime No.11 of 2022, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant who is none other than the sister-in-law of the petitioners is that there was a dispute with regard to claiming compensation for the death of their brother, who is the husband of the defacto complainant and in respect of the same, the petitioners have harassed the defacto complainant. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are in-laws of the defacto complainant and no way connected with the alleged offence. He would further submit that in order to harass the



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petitioners, the defacto complainant intentionally gave a false complaint.

He would also submit that there is no objection for the petitioners that the compensation amount being disbursed to the defacto complainant.

Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the defacto complainant who is none other than the sister-in-law of the petitioners and there was a dispute with regard to claiming compensation for the death of their brother, who is the husband of the defacto complainant and in respect of the same, the petitioners have harassed the defacto complainant. He would further submit that the investigation has been completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.



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6.Considering the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the investigation has been completed, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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, Thiruvottiyur, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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



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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 station as and when required for interrogation.

(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) 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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