



Crl.O.P.No.24546 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.8 of 2023, seeks anticipatory bail.

2.The petitioner is the father of the 1st accused. It is stated that the 1st accused had married the defacto complainant on 22.01.2018. It is stated that the defacto complainant is also a relative to the 1st accused. There are petitions pending between the 1st accused and the defacto complainant in the III Additional Family Court, Chennai and also at Mahila Court, Egmore. It is stated that the 1st accused had threatened the defacto complainant and sought dowry. It is also stated that the 1st accused is impotent and to cover that, he had harassed his own wife.

3.Taking into consideration the fact that the petitioner herein is only the father of the 1st accused, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.



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4. Accordingly, the 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 Additional Mahila Metropolitan Magistrate, Egmore Chennai, on condition that the petitioner shall execute a 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 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 when required for interrogation.

[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.

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