



Crl.O.P.No.22609 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.94 of 2023 registered by the respondent Police for the offence under Sections 147, 148, 498(A), 294(b), 323, 324, 379 of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002.

2.It had been stated that the first petitioner had demanded dowry of car. However, the wife of the first petitioner and her family members had only given a two wheeler, which led to a quarrel and assault. Finally, the complaint came to be registered.

3.It is also seen that a gold chain of 5 sovereign had also been taken away by the petitioner.

4. The learned counsel for the petitioner stated that the second petitioner had also given a complaint against the defacto complainant and her family members and FIR in Crime No.95 of 2023 had been registered by the respondent Police.

5.Effectively, there is a case and a counter complaint.

6.In view of this particular fact, the entire issue is a quarrel among the family members, but still, the demand of dowry is stressed by the defacto



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complainant. This Court is not inclined to grant anticipatory bail to the first petitioner and as far as the second petitioner is concerned, this Court is inclined to grant anticipatory bail to her with certain conditions.

7. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kanchipuram, on condition that the second 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 second 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 second petitioner shall report before the respondent Police, on the first Saturday of every month at 10.30 a.m., until further orders;

[c] the second petitioner shall not tamper with



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evidence or witness either during investigation or trial;

[d] the second petitioner 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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;

03.10.2023

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