



Crl.O.P.No.22986 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2, A3 & A4, who apprehends arrest for the alleged offences punishable under Sections, 498 (A), 294 (b), 323, 506 (1) IPC and r/w Section 4 of Dowry Prohibition Act, 1996, in Crime No.96 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.A1 who is the husband of the defacto complainant is living abroad. The learned counsel for the petitioners stated that he had taken a loan and gone abroad and it would not be immediately possible for him to return back as such return would affect his prospects to continue in the job.

4.The case of the prosecution is that the defacto complainant married A1 on 25.10.2021 and there a girl child was born to them. It is stated that they had given gold and other articles at the time of marriage. But there was further demand.



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5.The first petitioner/father-in-law of the defacto complainant has filed an affidavit before this Court. In paragraph 7 of the said affidavit, he had stated as follows:

7.I submit that it is my duty to take care of my daughter in law since my son is abroad. Further I am willing to accommodate her in my house and provide her and the granddaughter with the basic needs.

6. It is hoped that the said statement would be adhered to by the first petitioner herein. Copy of this affidavit may also be filed before the **learned Additional Mahila Court, Villupuram**. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners herein. The respondents are at liberty to proceed against A1 in accordance with rules.

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 **Additional Mahila Court, Villupuram**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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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 everyday for a period of two weeks and thereafter 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



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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.

30.11.2023

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