



Crl.O.P.No.23173 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.21 of 2023, registered by the respondent Police for the offence under Sections 294(b), 498(A) and 406 of IPC .

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent Police.

3.It is the case of the prosecution that the marriage between the de facto complainant and the 1st petitioner was solemnised on 2.7.2020. At the time of marriage, 20 sovereigns of gold, Rs.60,000/- of cash and household articles had been given to the 1st petitioner. There was a further demand and. A child was also born. The petitioners herein, took umbrage over a fact that it was a female child and did not allow the de facto complainant to enter into the marital house and demanded for the dowry amount.

4. This Court had examined the issues on 9.10.2023 and had granted interim bail to the 2nd petitioner/mother of the 1st petitioner with a direction that she must handover all certificates of the de facto complainant and also return



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back the jewellery and other articles. It is informed that the 2nd petitioner had returned back the certificates and also all the jewellery. In view of these facts, since some bonafide is shown, anticipatory bail is granted to both the petitioners.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. 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, Harur, on condition that each of 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 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 1st petitioner shall report before the respondent police **daily at**



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10.30 a.m, for a period of three weeks and thereafter as and when required and for **the 2nd petitioner to appear before the respondent police once in a week for a period of three weeks** and thereafter as and when required by the respondent 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 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.

31.10.2023

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