



Crl.OP.No.25027 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 498A and 506(i) of I.P.C, in Crime No.10 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was some misunderstanding between the petitioner and the de-facto complainant and both of them travelled to Ranipet on 18.11.2022 as the petitioner had planned his trip to Sabari Malai. On the said day, without any reasons, the de-facto complainant had invited her parents and created a hue and cry and insisted the petitioner to pay a sum of Rs.10,000/- per month towards the purchase of cosmetic and for her personal expenses. When the petitioner refused for the same and tried to control the situation and the behaviour and attitude of the de-facto complainant towards the petitioner and his family members. The petitioner is alleged to have caused dowry harassment to the de-facto complainant and threatened her. Hence the case.



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3. This Court on 04.10.2023, in Crl.O.P.No.22012 of 2023, had granted anticipatory bail to the other accused/A2 to A5. But had dismissed the anticipatory bail petition of the present petitioner herein. Status report had been filed on behalf of the respondent, wherein, it has been stated that investigation has been progressing to a substantial extent of examining and recording the statements of the defacto complainant's parents and the other relatives of the defacto complainant. It had however been stated that the petitioner would tamper the evidence and threaten the witnesses. It is also stated that since the petitioner is not appearing and co-operating during the course of investigation, investigation could not be completed. Taking into consideration the fact that it would only be to the advantage of the respondent when the final report is filed, this Court is inclined to grant anticipatory bail to the petitioner.

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 **learned Metropolitan Magistrate, Additional Mahila Court, Egmore,**



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Chennai - 8, 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 police daily at 10.00 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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



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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.

5. Accordingly, this Criminal Original Petition stands allowed.

If the petitioner is not co-operating during the course of enquiry, the respondent police is at liberty to file a petition for cancellation of bail.

15.11.2023

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