



Crl.O.P.No.25124 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1 to A5, seek anticipatory bail in Crime No.34 of 2023, on the file of the respondent police, registered under Sections 294 (b), 498 (A) and 506 (i) IPC.

2.The defacto complainant/wife of the first petitioner had lodged a complaint on 20.10.2023, complaining about demand of dowry and continuous cruelty against her. Marriage between the first petitioner and the defacto complainant had taken place on 03.02.2023, which is just about ten months back. It is stated that the first petitioner is working in the Army and he is stationed at Coimbatore. Being a uniformed personnel, it is incumbent on the part of the first petitioner not to get involved in an FIR alleging offences as stated.

3.Taking all the factors into consideration, this Criminal Original Petition is dismissed as against the first petitioner. So far as the second, third, fourth and fifth petitioners are concerned, this Court is inclined to grant anticipatory bail to the second, third, fourth and fifth



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petitioners. Accordingly, the second, third, fourth and fifth 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 **Judicial Magistrate, Parangipettai**, on condition that the second, third, fourth and fifth petitioners shall execute a separate 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, third, fourth and fifth 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 second, third and fourth petitioners shall report before the respondent police daily morning at 10.00 a.m., till the first petitioner is secured by the respondent.



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The fifth petitioner shall report before the respondent once in a week, i.e., every Saturday at 10.00 a.m., till the first petitioner is secured by the respondent. On and from the date on which the first petitioner is secured, all the second, third, fourth and fifth petitioners may appear before the respondent once in a week, i.e., every Monday at 10.00 a.m. for a period of three weeks and thereafter as and when required.

[c] the second, third, fourth and fifth petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the second, third, fourth and fifth 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 second, third, fourth and fifth petitioners in accordance with law as if the conditions have been imposed and the second, third, fourth and fifth petitioners 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

4. Accordingly, this Criminal Original Petition stands dismissed as against the first petitioner and allowed as against the second, third, fourth and fifth petitioners.

02.11.2023

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C.V.KARTHIKEYAN, J.

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