

Crl.O.P.No.31216 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Section 498(A), 294(b), 323 and 506(1) of IPC in Cr.No.28 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 06.02.2022 and it is alleged that there was a matrimonial dispute between them. Further the second petitioner who is her mother-in-law attacked the defacto complainant and her parents. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submits that on earlier occasion the matter was referred to



mediation between the parties. However, inspite of the same, the dispute between the petitioners and the defacto complainant was not settled. Hence he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submission made by the learned Government Advocate, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate, Ambattur*, on condition that the 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their



identity;

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(b)the first petitioner shall report before the respondent police every Sunday at 10.30 a.m. for a period of four weeks and the second petitioner shall report before the respondent police 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 anticipatory 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

27.02.2023

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