



Crl.O.P.No.26745 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.460 of 2023 registered by the respondent police for the offences under Section 174 of Code of Criminal Procedure which was later altered to Sections 498(A) and 304(B) IPC.

2. The learned counsel for the Petitioner stated that the Petitioner is an innocent person and she has been falsely implicated in this case. He also stated that the Petitioner has been arrayed as 2nd Accused in this case and the other two accused A1 and A3, who are the husband and father in law of the victim had been arrested and had granted bail. Hence, he prays for anticipatory bail to the Petitioner herein.

3. The learned Government Advocate (Criminal Side) stated that owing to continuous harassment by the Accused, the defacto complainant after lodging the complaint, had committed suicide by hanging. Hence, he strongly opposed this petition.



Crl.O.P.No.26745 of 2023

4. However, taking into consideration of the particular fact that subsequently the other two accused had been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate, Arakkonam**, 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 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.



CrI.O.P.No.26745 of 2023

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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.

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Crl.O.P.No.26745 of 2023

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