



CrI.O.P.No.26666 of 2023

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WEB C **C.V.KARTHIKEYAN, J.**

Petitioners/A1 to A3 in Crime No.13 of 2023, registered under Sections 498(A), 294(b), 406, 506(i) IPC and Section 4 of Dowry Prohibition Act, 1961, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.

3.A1 is the husband of the de facto complainant, A2 and A3 are his parents. It is alleged that there is yet another accused/A4. The allegation of the de facto complainant is that A1 had married A4. This fact is denied by the learned counsel who states that A4 was only a colleague in the Office of A1 at Bangalore. Be that as it may, the fact is that the issues relating to demand of dowry or other aspects should be investigated and only thereafter, the facts can be established. At this stage, since investigation has not even started owing to the absence of the accused, I am not inclined to grant anticipatory, **bail to the 1st accused**. But, however the 2nd and 3rd accused/2nd and 3rd petitioners are granted anticipatory bail.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners with



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certain conditions.

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5. Accordingly, the 2nd and 3rd 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 **Additional Mahila Court, Coimbatore**, on condition that each of 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, 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 2nd and 3rd petitioners, to appear before the respondent police once a week at 10.30 a.m. for a period of **four weeks** and thereafter **as and when required** for interrogation.

Insofar as **the 1st petitioner is concerned, this petition is dismissed.**



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[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 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.

24.11.2023

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