

**CRL.O.P.No.29192 of 2023**

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**P.DHANABAL, J.,**

The petitioners/accused nos.1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294(b), 323, 506(1) IPC and Sec.4 of Dowry Prohibition Act, 1961 in Crime No.33 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner/A1 is the husband of the defacto complainant and the petitioners 2 to 4 are the parents and sister of the first petitioner. It is the further case of the prosecution that the petitioners harassed the de-facto complainant using filthy language and demanded dowry. hence the case.

3.The learned counsel for the petitioners would contend that the petitioners are innocent and due to matrimonial dispute between the parties a false case has been foisted against them. Hence he seeks anticipatory bail.



4.The learned Government Advocate (Crl. Side) would submit that the first petitioner/A1 is the husband of the defacto complainant and the petitioners 2 to 4 are the parents and sister of the first petitioner. The petitioners harassed the de-facto complainant using filthy language and demanded dowry. Hence, he objected to grant anticipatory bail to the petitioners.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the relationship between the parties and the nature of offences, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7.Accordingly, the 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 Judicial Magistrate, Panruti on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



WEB COPY [a] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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].

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

28.12.2023

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