



CrI.OP.No.875 of 2024

CrI.O.P.No.875 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 and A2 seek anticipatory bail in Crime No.759 of 2023 registered by the respondent police for the offences punishable under Sections 498A, 294(b) of IPC.

2. It is stated that the marriage between the first petitioner and the defacto complainant took place on 04.06.2017 and they also had a girl child who was born on 10.02.2019.

3. It is the case of the defacto complainant that the petitioner had been continuously harassing her. She is now staying at her parents house.

4. Learned counsel for the petitioner stated that the first petitioner went over to the said house seeking reunion and there was a quarrel which escalated into violence.



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5. It is the case of the respondent that this quarrel took place in the middle of the road which is denied by the learned counsel for the petitioner.

6. However, taking into consideration the fact that the parties had been married for more than six years as on date and they also have a girl child, 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 ***Judicial Magistrate-II, Tambaram, Chengalpattu District*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



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[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 first petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two 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 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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