



CrI.O.P.No.4001 of 2024

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C.V.KARTHIKEYAN. J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences originally registered under Section 174(iii) Cr.P.C on 16.04.2023 and subsequently, altered to Section 306 IPC on 27.07.2023 and thereafter, altered to Section 304(b) IPC on 17.12.2023 in Crime No.93 of 2023, seek anticipatory bail.

2.A1 is the husband of the deceased. The petitioners who are arrayed as A2 to A4, are the father-in-law, mother-in-law and brother-in-law of the deceased.

3.The learned counsel for the petitioners stated that there were no dowry demand between the petitioners and the deceased and that it was the first accused who had actually given jewels and they were kept by her in her father's house. It is stated that the petitioners are innocent of any of the offences alleged.

4.A counter affidavit had been filed by the respondent, wherein it had been stated that during the course of investigation, the statement of 5 witnesses have been recorded and on the basis of the statement of the witnesses, the offence had been altered to Section 304(b) IPC. It is also



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stated that the investigation has proceeded to a substantial extent.

5.The learned Government Advocate (crl.side) has forwarded a report dated 22.07.2023 in Na.Ka.No.1484/2023/A1 of the Revenue Division Officer, Sriperumbudur, wherein, as a conclusion on enquiry, he had stated that the deceased had committed suicide not owing to demand for dowry but owing to various disputes in the marital life.

6.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 No.II, Tambaram** on condition that the petitioners shall execute a separate 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 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 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners shall not tamper with evidence or witness 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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