



Crl.O.P.No.4310 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners/A1, A2 and A3 in Crime No.2 of 2024 registered by the respondent police for the offences under Sections 498(A) and 406 IPC read with Section 4 of Dowry Prohibition Act,1961, seek anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the marriage between the 1st Petitioner and the defacto complainant took place on 21.08.2023. Both are educated. Both are medical professionals. They both knew each other and the marriage was also arranged. Then, various allegations had been raised by the defacto complainant against the 1st Petitioner, but let me not enter into any discussion over the same since it is represented that this Petition would be withdrawn as against the 1st Petitioner and the learned counsel for the Petitioners has also made an endorsement to that effect in the bundle, which is as follows :

*“ The counsel for the petitioner may be
permitted to withdraw in respect of 1st
petitioner/husband ”*



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3. Recording the said endorsement, this Criminal Original Petition stands dismissed as withdrawn as against the 1st Petitioner herein.

4. Insofar as 2nd and 3rd Petitioners are concerned, they are the parents of the 1st Petitioner and it is stated that they were also complicit in raising demands along with the 1st Petitioner as against the defacto complainant and her family.

5. Taking all the factors into consideration and also with a hope that they would also co-operate during the course of investigation, this Court is inclined to grant anticipatory bail to the 2nd and 3rd Petitioners herein subject to the following conditions. 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 Judicial Magistrate – I, Poonamallee**, on condition that 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,



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failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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 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 and the 3rd petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the 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



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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.

6. Accordingly, this Criminal Original Petition stands dismissed as withdrawn as against the 1st Petitioner and stands allowed as against the 2nd and 3rd Petitioners.

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