



Crl.O.P.Nos.6239 & 6256 of 2024

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C.V.KARTHIKEYAN, J.

A-1 has filed Crl.O.P.No. 6239 of 2024 and A-2 to A-6 have filed Crl.O.P.No. 6256 of 2024, both in Cr.No. 161 of 2024 registered under Sections 294(b), 147, 323, 324, 506(ii), 498-A of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. They seek anticipatory bail.

2. It is stated that the first accused is the husband of the defacto complainant. They had married on 24.03.2019. They have one male child, two years old. It is stated that there were continuous quarrels between the accused and the defacto complainant and there were also demands for dowry necessitating her to lodge a complaint and registration of FIR.

3. The learned counsel for the petitioner stated that the first accused is prepared to reunite with the defacto complainant and that the issues would be addressed separately. It is stated by the learned counsel for the petitioner that the first accused will deposit a sum of Rs.5,000/- towards maintenance of his wife and child.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in



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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, Additional Mahila Court, Perambalur, 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 this Court 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 first petitioner /accused in Crl.O.P.No. 6239 of 2023 is directed to deposit a sum of Rs.5,000/- on or before 8th day of every successive month to the credit of Cr.No. 161 of 2024 and on such deposit, the Judicial Magistrate, Additional Mahila Court, Perambalur, may hand it over to the defacto complainant. It is made clear that this is only an interim deposit and should continue till orders are passed with respect to either final maintenance or till the first accused reunites with the defacto complainant.

[c] the first petitioner/first accused shall appear before the respondent police daily at 10.30 a.m., until further orders and the accused Nos. 2 to 6 shall appear before the respondent police as and when



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required for interrogation.

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

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

[f] 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]**.

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

19.03.2024

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