



Crl.O.P.No.10043 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 498(A), 294(b), 506(i) IPC in Crime No.05 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. It is further alleged on the said date of occurrence, the petitioner along with his family members harassed her by demanding dowry, abused with filthy language and also threatened with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also stated that due to the illegal relationship of her husband, the de-facto complainant has lodged a false complaint as against the petitioner. He further submits that the petitioner has not been given a ration card to



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purchase. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent submitted that due to a misunderstanding with the defacto complainant, the petitioner harassed her along with his family members by demanding a divorce, abused her with filthy language and also threatened with dire consequences. He further submits that if the petitioner is granted bail he may escape from the clutches of law as well as criminal liabilities. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate – I, Ambattur,*** on condition that the petitioner shall execute a



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bond 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every Friday at 10.30 a.m, for a period of eight weeks;

[c] the petitioner is directed to surrender the ration card to the defacto complainant within two weeks. The defacto complainant is entitled to use the ration card.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;



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[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

26.04.2024

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