



Crl.O.P.No.11027 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 498(A), 506(i) IPC and Section 6 of Dowry Prohibition Act in Crime No.35 of 2023, seeks anticipatory bail.

2.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner and the defacto complainant got married on 04.11.2020. The petitioner and his family members demanded dowry from the defacto complainant and they also abused her. The defacto complainant left the matrimonial home along with her child within a short span of time after the marriage and she is living with her parents. Hence, he



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vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts of the case and the submissions made by the counsels and also the fact that the petitioner is ready to pay the interim maintenance of Rs.10,000/- per month to his wife and child, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Metropolitan Magistrate, Cuddalore***, on condition that the petitioner shall execute a 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall report before the respondent police in the first week of every English calendar month.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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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7. Considering the nature of dispute between the parties, the matter is referred for mediation in order to resolve the dispute amicably between the parties. Therefore, the parties are directed to appear before the District Mediation Centre, Cuddalore on 18.06.2024.

8. Meanwhile, the petitioner is directed to pay the interim maintenance of Rs.10,000/- in the first week of every month to the account of the defacto complainant until it is modified by any other court of law.

04.06.2024

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