



Crl.O.P.No.11137 of 2024

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WEB C **P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Section 498(A) and 406 of IPC in Crime No.04 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the husband of the defacto complainant and both are loved by each other and the parents arranged the marriage in the year 2015. Further, the parents of the defacto complainant gave 120 sovereign gold jewels along with other articles. The petitioner had illegal contact with other girl, due to which some wordy quarrel happened between the petitioner, defacto complainant and his family. Later the petitioner family members demanded 5 lakhs and they sent out the defacto complainant from the petitioner's house. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits



CrI.O.P.No.11137 of 2024

that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner. He further submits that already this Court granted interim anticipatory bail to the petitioner and thereafter matter was referred to the Mediation Center to settle the matter, in that petitioner has also returned entire jewels to the defacto complainant and all disputes and differences have been amicably settled between the parties.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that petitioner is the husband of the defacto complainant and both are loved by each other and the parents arranged the marriage in the year 2015. Further, the parents of the defacto complainant gave 120 sovereign gold jewels along with other articles. The petitioner had illegal contact with other girl, due to which some wordy quarrel happened between the petitioner, defacto complainant and his family. Later the petitioner family members demanded 5 lakhs and they sent out the defacto complainant from the petitioner's house and he further submitted that there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.

5. Considering the representations made by both sides and



CrI.O.P.No.11137 of 2024

considering the nature of offences charged against the petitioner and

considering the fact that entire jewels was returned to the defacto complainant and no previous case is pending against the petitioner and considering that this Court already granted interim Anticipatory Bail to the petitioner, 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/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Additional Mahila Court, Egmore*** on condition that the petitioner shall execute a 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 and on further condition that:

[a] the petitioner shall report **before the respondent police as and when required for interrogation.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such



CrI.O.P.No.11137 of 2024

facts of the Court or to any police officer.

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[c] the petitioner shall not leave India without the previous permission of the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[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 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]*.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

23.09.2024
(2/2)

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Crl.O.P.No.11137 of 2024

P.DHANABAL, J.

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Crl.O.P.No.11137 of 2024

23.09.2024

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