



Crl.O.P.No.10511 of 2023

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WEB COPY **V. LAKSHMINARAYANAN, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 498A and 506(i) of IPC and Section 4 of the Dowry Prohibition Act, 1961, in Crime No.4 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 24.04.2023, the defacto complainant went to her matrimonial home after reunion and the petitioners had demanded dowry about 5 sovereigns of gold jewels and a sum of Rs.5 lakhs for business of the 1st petitioner. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioners submitted that the entire allegations made in the complaint is false and the concocted story was made by the defacto complaint at the instigation of her family members. Hence, they pray to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the 1st petitioner is the husband of the defacto complainant and the petitioners 2 to 5 are in-laws and they have demanded



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dowry from the defacto complainant. He vehemently opposed for granting anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, I am inclined to grant anticipatory bail to the petitioners 2 to 5.

6.Accordingly, the petitioners 2 to 5 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Gudiyatham, Vellore District, on condition that the petitioners 2 to 5 shall execute a 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 the learned Magistrate concerned and on further condition that:

(a)the petitioners 2 to 5 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;



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(b)the petitioners 2 and 5 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 interrogation. The petitioners 3 and 4 shall appear before the respondent police as and when required for interrogation.

(c)the petitioners 2 to 5 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 2 to 5 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 2 to 5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 5 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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7.The learned counsel appearing for petitioners requested this Court that this matter may be referred to the Mediation Centre for settlement.



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8.The learned Government Advocate (Crl.Side) submitted that he has no objection for referring the matter to the Mediation Centre.

9.The matter relates to matrimonial dispute with regard to the 1st petitioner and the defacto complainant and H.M.O.P.No.10 of 2023 is pending before the Family Court.

10.Hence, the matter is referred to the Mediation and Conciliation Centre, Madras High Court, Chennai. The Mediation and Conciliation Centre is requested to nominate a Senior Mediator to mediate between the parties. The parties are directed to appear before the Mediation and Conciliation Centre, Madras High Court, Chennai, without fail. The report shall be filed before this Court within 45 days.

24.05.2023

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