



WEB COPY



Crl.O.P.No.12063 of 2024

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S.SOUNTHAR, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) IPC and Section 4 of Women Harassment Act, 2002, in Crime No.20 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the victim is a differently abled person. The marriage between the victim and the 1st petitioner was solemnized on 07.09.2022. The 2nd petitioner is the mother-in-law of the victim. While the victim was three months pregnant, the petitioners are alleged to have harassed the victim by demanding Rupees Two Lakhs and thereby, her pregnancy got aborted and on 20.04.2024, the victim consumed poison and admitted in the hospital. Hence, FIR has been registered against the petitioners based on the complaint given by the mother of the victim.

3. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in Crime No.20 of 2024 registered by the respondent Police. Thus, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal side) stated that the victim has been discharged from the hospital. However, he prays for dismissal of this petition.

5. Having regard to the nature of allegations made against the petitioners and also of the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners 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 on which the order copy made ready, before the **learned Judicial Magistrate No.II, Hosur**, on condition that the petitioners shall execute separate 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, 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.



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[b] the petitioners shall report before the respondent police everyday at 10.30.a.m., until further orders.

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

[d] the petitioners 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 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]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC;

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