



Crl.O.P.No.12285 of 2024

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S.SOUNTHAR, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 385 of IPC in Crime No.3 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. The petitioner is alleged to have demanded dowry from the defacto complainant and also abused and attacked her. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is innocent and he has been falsely implicated in Crime No.3 of 2024 registered by the respondent Police. Thus, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) vehemently opposed for granting bail to the petitioner stating that the petitioner abused and attacked the defacto complainant by demanding dowry and threatened her



Crl.O.P.No.12285 of 2024

with dire consequences. Hence, he prays for dismissal of this petition.

5. Taking into consideration the facts and circumstances of the case, I am 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 days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Cheyyar, Tiruvannamalai District**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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.

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

[c] the petitioner shall not tamper with evidence or witness



CrI.O.P.No.12285 of 2024

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 abscond, a fresh FIR can be registered under Section 229A IPC;

29.05.2024

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29.05.2024