



Crl.O.P.No.17206 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1 to A4 seek anticipatory bail in Crime No.64 of 2024 registered by the respondent Police for the offences punishable under Sections 498(A), 294(b), 323 and 506(i) of IPC.

2. The first petitioner is the husband of the defacto complainant and the second and third petitioner are the parents of the first petitioner and the fourth petitioner is the sister of the first petitioner. The marriage between the first petitioner and the defacto complainant took place on 14.02.2022.

3. It is stated that at the time of marriage, she had brought about 450 grams of gold jewels and other articles. But, however, there had been continues disputes between the first petitioner and the defacto complainant and further that there had been demands of dowry. A complaint had been lodged, complaining of offences under Sections 498(A), 294(b), 323 and 506(i) of IPC.



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4. My learned predecessor by an order dated 16.08.2023, taking note of the relationship between the parties and had referred the parties to Mediation. The said referral had actually acted to the advantage of the petitioners, since they had expressed bona fide during the said process and also to the advantage of the defacto complainant, since about 450 grams of gold had been returned back by the first petitioner to the defacto complainant. She had acknowledged such receipt. There are small issue about laptop, house rent advance and gold bangles to be returned back, but the defacto complainant also has the responsibility to adduce credible evidence during the course of trial. Therefore, since these petitioners had experienced bona fide by returning back the gold jewels, which was substantial extent.

5. However, taking all the other factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 **Judicial Magistrate No.2, Hosur**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties



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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.

[b] the first petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation and the second, third and fourth petitioners shall report before the respondent police as and when required for interrogation.

[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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

13.03.2024

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