



Crl.OP.No.18292 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 115(2), 85 of BNS and under Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.11 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the the petitioners have harassed her by demanding dowry and have also threatened with dire consequences. Hence the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also stated that due to the matrimonial dispute, the de-facto complainant has lodged a false complaint as against the petitioners. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the



respondent submitted that the first petitioner is the husband of the defacto complainant and the second petitioner is the brother of A1, third petitioner is the mother in law of the defacto complainant and fourth petitioner is the sister-in-law of the defacto complainant. He further stated that the petitioners demanded her more dowry and harassed her and they have also threatened with dire consequences. He further submitted that no one was arrested in this case. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on interim anticipatory 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 District Munsif-cum-Judicial Magistrate Court, Pallavaram, 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, 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 conditions 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 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 against the petitioners in accordance

T.V.THAMILSELVI,J.



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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.

8. Considering the nature of dispute between the parties, the matter is referred for mediation in order to resolve the dispute amicably between the parties. Therefore, the parties are directed to appear before Mrs.Sudharshana Sunder (Cell No.9444232590) on 08.08.2024 at the Mediation and Conciliation Centre, High Court, Madras, without fail.

01.08.2024

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Note: Issue order copy on or before 06.08.2024

Crl.O.P.No.18292 of 2024