



Crl.OP.No.19799 of 2024

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P. DHANABAL, J.

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The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 498A of IPC, in Crime No.35 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The first petitioner is the husband of the *de facto* complainant, the second petitioner is the father in law of the *de facto* complainant, the third petitioner is the mother-in-law of the *de facto* complainant and fourth and fifth petitioners are the sister-in-law of the *de facto* complainant. The case of the prosecution is that the *de facto* complainant was subjected to mental and physical cruelty by the petitioners and the petitioners were inconsiderate towards the *de facto* complainant and they would enter into quarrel with her for unnecessary reasons. Hence the complaint.

3. The learned counsel for the petitioner would contend that the petitioners are innocent and they have not involved in the offences as alleged by the prosecution and the respondent police had falsely implicated them in this case. He would further submit that in the month of June,



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2024, the *de facto* complainant had returned to her parental house and never returned back despite several efforts being taken by the petitioners to reconcile the matrimonial life. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent and counsel for the intervenor would submit that the case pertains to a family dispute between the petitioners and the petitioners caused mental and physical cruelty to the *de facto* complainant and hence she returned to her parental house and gave a complaint against the petitioners. He would further submit that there are no previous cases pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the relationship between the parties and also considering the fact that there no previous cases as against the petitioners and also considering the nature of offences, I am inclined to grant anticipatory bail to the petitioners.



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7. Accordingly, this Criminal Original Petition is **allowed** and the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Additional Mahila Court, Coimbatore**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police on **every Saturday at 10.30 a.m. for a period of eight weeks.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.



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[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 absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

22.08.2024

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1. The Additional Mahila Court,
Coimbatore.
2. The Inspector of Police,
All Women Police Station,
Coimbatore East,
Coimbatore City, Coimbatore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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