



Crl.O.P. No.21130 of 2024

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P. DHANABAL.J.,

The petitioners apprehend arrest for the alleged offences under Sections 498(A), 506(1) of IPC in Crime No.31 of 2024, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the marriage between the 1st petitioner and the defacto-complainant was solemnized on 09.09.2022. At the time of marriage, the parents of the defacto-complainant gifted 25 sovereigns of gold jewels to the 1st petitioner. Later, the 1st and petitioner and 2nd petitioner have started harassing the defacto-complainant and seeking more dowry. Hence the case.

3. The learned counsel for the petitioners would contend that soon after the marriage, the defacto-complainant showing her true colour, she lived a lavish life and she refused to lead matrimonial life with the 1st petitioner. The petitioners are not involved in the said offence. There is no previous case as against these petitioners. These petitioners are innocent persons and they have not indulged in any illegal activities as alleged by the prosecution and they have been falsely implicated in this case by the respondent police and hence he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that the 1st petitioner and the defacto-complainant was solemnized on 09.09.2022. At the time of marriage, the parents of the defacto-complainant was gifted 25 sovereigns of gold jewels to the 1st petitioner. Later, the 1st and petitioner and 2nd petitioner have started harassing the defacto-complainant and seeking more dowry. There is no previous case as against these petitioners. However, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Considering the rival submissions on either side, considering the nature of offence and the relationship between the parties, no previous case is pending against the petitioners and considering other aspects, this court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on 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 **Additional Mahila Court Judge, (Magisterial Level),**



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Krishnagiri 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 learned Magistrate concerned

and on further condition that:

[a] the petitioners shall report before the respondent police on every Saturday at 10.00 a.m for the period of 4 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioners shall not leave India without the prior permission of the Court.

[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



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[(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

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