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Crl.O.P.No.23889 of 2023

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and Crl.M.P.No.19149 of 2023
C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.9 of 2023 registered by the respondent Police for the offences punishable under Section 498(A), 506(i) of IPC 1882 r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

2. The first petitioner had married the defacto complainant on 14.03.2022 and that time it is stated that 25 sovereigns of gold had been gifted by the parents of the defacto complainant. Thereafter, there were disputes between the parties. There was also a demand for dowry. This forced the defacto complainant to lodge a complaint and registration of FIR under Sections 498(A), 506(i) of IPC.

3. The matter has been listed before this Court on several occasions and the learned counsel for the petitioner and the defacto complainant had, with their good office, had also thought it would be in the interest of both the parties that a settlement is reached.



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4. They took into consideration, the young age of the defacto complainant and the first petitioner herein. It had been represented by the respondent that the petitioners had paid a sum of Rs.5/- lakhs to the family of the defacto complainant and had also agreed to pay another amount of Rs.10/- lakhs within a period of three months. They had also recorded this particular agreement in writing. It is fervently hoped that this agreement between the parties would be honoured by both sides.

5. In view of such development, anticipatory bail is granted directing the first petitioner to appear before the respondent weekly once for a period of three weeks and the second and third petitioners, as and when required.

6. I must place on record my deep appreciation for the learned counsels for the petitioners and the defacto complainant for prevailing upon their respective parties that it would be in their interest that the matter settled amicably.



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7.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 learned **Judicial Magistrate Court No.1, Ambattur**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties 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 petitioners 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.

[c] the petitioners shall not tamper with evidence or



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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 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. Consequently, connected miscellaneous petition is also ordered.

19.03.2024



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