

CRL.O.P.No.13759 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) I.P.C. in Crime No.284 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3. The case of the prosecution is that on 25.05.2016, a wordy quarrel arose between the petitioner and the defacto complainant, who is his wife and in the melee, he assaulted her with hand, due to which she was admitted in Government Hospital and lodged a complaint against him.

4. Learned counsel for the petitioner submitted that though wordy quarrel arose between the petitioner and his wife, i.e. the defacto complainant, he did not assault her and that she was discharged from the hospital in May 2016.

5. Learned Government Advocate (Crl. Side) submitted **that the injured has been discharged from the hospital.**

6. Taking note of the facts and circumstances, **as the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner.** Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Bhavani**, subject to the following conditions:

(i) **the petitioner shall execute a 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**

S.VAIDYANATHAN,J.

aeb

respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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]**.

01.07.2016

aeb

CRL.O.P.No.13759 of 2016