



CrI.O.P.No.19021 of 2022

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G.K.I.LANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174 (iii) of Cr.P.C @ 306 and 201 IPC in Crime No.465 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and deceased namely Anitha was married and living in Chennai. On 13.09.2021, the accused namely Anandvel, brother of the deceased called the deceased Anitha to settle the family dispute in respect of property. Believing his words, the defacto complainant's wife Anitha went to the house of said Anandvel, at that time his family members attacked the said Anitha and she died. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are ready to abide by



Crl.O.P.No.19021 of 2022

any stringent condition that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioners attacked the said Anitha and she died. Hence, the vehemently, opposed to grant anticipatory bail to the petitioners.

5. Even according to the case of the prosecution, due to family property dispute, there was wordy quarrel between them. Therefore, the deceased committed suicide and thereafter the petitioners, being family members and relatives buried the body. Further, first accused was arrested and subsequently, released on bail.

6. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CrI.O.P.No.19021 of 2022

WEB COPY

7. 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-I, Virudhachalam, Cuddalore, on condition that the petitioners shall execute a 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 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 1 to 4 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 and the petitioners 5 to 7 shall appear before the respondent police as and when required for interrogation.



CrI.O.P.No.19021 of 2022

WEB COPY

[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 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.

22.08.2022

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Crl.O.P.No.19021 of 2022

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Crl.O.P.No.19021 of 2022

22.08.2022