



Crl.OP.No.15789 of 2022

Crl.O.P.No.15789 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 498-A, 324, 343, 354, 506(2) IPC in Crime No.23 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. There are totally two accused in this case, in which the petitioner is arrayed as A2, who is the brother of A1. The case of the prosecution is that A1 and the defacto complainant are husband and wife. He used to suspect the defacto complainant that she is in illegal affair with some other person and tortured her. Taking advantage of the same, A2 misbehaved with the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.OP.No.15789 of 2022

WEB COPY

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner, who is the younger brother of A1 is alleged to have misbehaved with the defacto complainant in the absence of A1. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Virudhachlam-2 on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



Crl.OP.No.15789 of 2022

anticipatory bail shall stand dismissed and on further condition that:

WEB COPY

[a] the petitioner 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 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.



Crl.OP.No.15789 of 2022

G.K.ILANTHIRAIYAN, J.

Anu

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

08.07.2022

Anu

Crl.O.P.No.15789 of 2022