



Crl.O.P.No.16911 of 2022

WEB COPY

Crl.O.P.No.16911 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Woman Harassment Act in Crime No.86 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's sister one Gomathi was married to one Aasirvatham. On 9.4.22, the said Aasirvatham died by committing suicide by consuming poison. On 13.04.2022, he died in the hospital and on the same day, the body was sent to home for funeral. At that time, the petitioner along with some other accused attacked the defacto complainant's sister with knife and scolded her in filthy language and caused injuries to him. Hence, the complaint.



Crl.O.P.No.16911 of 2022

WEB COPY

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with others attacked the defacto complainant's sister and caused injuries. He would further submit that the injured has been discharged from the hospital . However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain 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



Crl.O.P.No.16911 of 2022

WEB COPY

from the date on which the order copy made ready, before ***the learned District Munsif-Cum-Judicial Magistrate, Gummidipoondi*** 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 anticipatory bail shall stand dismissed and on further condition that:

[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.



WEB COPY



Crl.O.P.No.16911 of 2022

[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]**.

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

22.07.2022

VV



WEB COPY



Crl.O.P.No.16911 of 2022

G.K.ILANTHIRAIYAN, J.

Vv

Crl.O.P.No.16911 of 2022

22.07.2022