



Crl.O.P.No.17215 of 2022

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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), 323 324, 506(ii) of IPC @ 147, 148, 294(b), 323, 307 and 506(ii) of IPC in Crime No.330 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's grand father had a property of 2 acres and 70cents and the same was equally divided into four shares, for which, the defacto complainant's uncle quarrelled with the defacto complainant's father and his brother before eight months. In respect of the same, a complaint was also lodged by the said uncle. While being so, on 23.05.2022. when the defacto complainant was proceeding to his street, at that time, the said uncle and two others ie., Sathiskumar and his brother Madheswaran/husband of the petitioner herein quarrelled with the defacto complainant. On 24.05.2022 at about 6.00 p.m., the brother and another uncle of the defacto complainant has taken photos of the concrete road in between them. At



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that the defacto complainant's uncle/A1 attacked the defacto complainant and his brother, threatened them with dire consequences and caused injuries to them. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that the co-accused/A3/petitioner's husband was released on bail by this Court in Crl.OP.No.13625 of 2022 vide order dated 16.06.2022 and other co-accused/A1, A2, A4 and A5 were released on anticipatory bail by this Court in Crl.OP.No.15185 of 2022 vide order dated 01.07.2022. He would further submit that there was a case in counter. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner's husband and her father-in-law attacked the defacto complainant and his brother and caused injuries. He would further submit



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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 victims have 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before ***the learned Judicial Magistrate, Vazapadi, Salem District*** 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:

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[b] the petitioner shall report before the respondent police daily 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]**.

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

22.07.2022

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