WEB COPY

Crl.O.P.No.18337 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 427 and 506(ii) of IPC in Crime No.49 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A1 was in drunken mood has attacked her wife/defacto complainant and attempted to shoot her with his pistol, but she escaped. It is further alleged that the petitioner/A1 stopped his car in front of house and raised the accelerator and thereby caused fear when the defacto complainant closed the doors, A1 has broken the windows and A2 and A3 who are the persons instigated A1 to do the above offences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such

https://www.mhc.tn.gov.in/judis

WEB COPY

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/A1 was in drunken mood has attacked her wife/defacto complainant and attempted to shoot her with his pistol, but she escaped.. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the submissions made by both counsel, 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 from the date on which the order copy made ready, before the ***learned Judicial Magistrate Court, Coonoor*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand

https://www.mhc.tn.gov.in/judis

WEB COPY

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 four 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.

https://www.mhc.tn.gov.in/judis

WEB COPY

[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.

04.08.2022

vv

https://www.mhc.tn.gov.in/judis

WEB COPY

G.K.ILANTHIRAIYAN, J.

Vv

Crl.O.P.No.18337 of 2022

04.08.2022

https://www.mhc.tn.gov.in/judis