



Crl.OP.No.20115 of 2022

Crl.O.P.No.20115 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294(B), 323, 324, 506(ii) & 379 IPC in Crime No.191 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. There are totally four accused in this case, in which the petitioner is arrayed as A3. The case of the prosecution is that the defacto complainant is the second husband of one Zeenath Nisha. It is alleged that A1, who is the first husband of defacto complainant's wife along with the petitioner and others said to have abused and assaulted 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. He would also submit that there is a family dispute between the parties, due to which the defacto complainant lodged a false complaint against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.OP.No.20115 of 2022

WEB COPY

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with A1 and others picked up quarrel with the defacto complainant and assaulted him. 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 No.VII, Coimbatore 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:



Crl.OP.No.20115 of 2022

[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]**.

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

25.08.2022

Anu



WEB COPY



Crl.OP.No.20115 of 2022

G.K.ILANTHIRAIYAN, J.

Anu

Crl.O.P.No.20115 of 2022

25.08.2022