



Crl.O.P.No.21277 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 355 and 506(i) of IPC in Crime No.89 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 23.08.2022, during the family quarrel, the petitioners, who are the Mother-in-law and Sister-in-law of the defacto complainant, along with the husband of the defacto complainant had assaulted the defacto complainant with broomstick, resulting in the defacto complainant sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that due to the matrimonial dispute, a false complaint has been given as against the petitioners. He would further submit that the injured has been discharged from the hospital and the main accused/husband in this case has been arrested and released on bail. Therefore, he prays for grant of anticipatory



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bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioners, who are respectively the Mother-in-law and Sister-in-law of the defacto complainant, along with the husband of the defacto complainant had assaulted the defacto complainant in broomstick. He would also submit that the husband has been arrested and released on bail and also the injured has also been discharged from the hospital. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration the facts of the case, the submissions made by the learned counsel and also it seems to be matrimonial dispute and the main accused/husband has been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners



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subject to the following conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Mannarkudi**, on condition that the petitioners shall execute a bond for a **sum of Rs.25,000/- (Rupees Twenty Five 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 petitioners 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.

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[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

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

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

06.09.2022

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