



Crl.O.P.No.21776 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, 427 and 506(ii) of IPC in Crime No.510 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, due to existing matrimonial dispute, the 1st petitioner assaulted the *de-facto* complainant with hands and also caused damages to the house hold articles of the *de-facto* complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the *de-facto* complainant is none other than the wife of the 1st petitioner/A1 and there is a matrimonial dispute pending between them. Therefore, the *de-facto* complainant has been living in the ground floor and the petitioners are living in the first floor. On the fateful day, the *de-facto* complainant came to the house of the petitioners and when her reckless act was questioned by the 1st petitioner, she gave a false complaint as



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against the petitioners on the strength of the complaint which is pending in C.C.No.02 of 2022 on the file of the Additional Mahila Court, Egmore. He would further submit that petitioners 2 to 4 are senior citizens. Thereby, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that, due to existing matrimonial dispute, the 1st petitioner assaulted the *de-facto* complainant with hands and also caused damages to the house hold articles of the *de-facto* complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsels. Taking into consideration the facts and circumstances of the case and also considering the age of the 2nd, 3rd and 4th petitioners, who are all senior citizens, i am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen



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days from the date on which the order copy made ready, before the XIII Metropolitan Magistrate Court, Egmore, Chennai, on condition that the each of the petitioners shall execute a separate 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.

[b] the 1st petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation. The 2nd, 3rd and 4th petitioner shall report before the respondent police as and when required for interrogation.

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



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

09.09.2022

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