



Crl.O.P.No.21671 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 354, 324 and 506(ii) of IPC, in Crime No. 347 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the brother in law of the defacto complainant. There was quarrel in respect of sharing of insurance money among the family members. Due to which, the petitioner had abused the defacto complainant with filthy languages and assaulted her with iron rod, resulting her in sustaining injuries.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner and the defacto complainant are relatives. Infact, the defacto complainant along with her sister one Abirami had come to the house of the petitioner and abused him with filthy languages and assaulted the petitioner and his wife with hands.



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Thereafter, she had given a false complaint. Hence, he seeks for anticipatory bail.

4. The learned Government Advocate (crl.side) would submit that the petitioners and the defacto complainant are relatives. Due to sharing of insurance money, there was a quarrel and the petitioner had abused the defacto complainant with filthy languages and assaulted her with iron rod, resulting her in sustaining injuries. Further, the injured has been discharged from the hospital. Thereby, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioner is 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 V Metropolitan Magistrate Court, Egmore** on condition that the



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petitioner 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 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 am until further orders.**

[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.

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[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.

08.09.2022

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