



Crl.O.P.No.21692 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 307 and 109 of IPC in Crime No.126 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illicit intimacy with some other person and when it was questioned by the defacto complainant who is the sister-in-law of the petitioner, the petitioner and her paramour assaulted the defacto complainant and her brother with helmet, due to which, the defacto complainant sustained injuries. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent person and due to matrimonial dispute, a false complaint has been foisted against her. He would further submit that due to a false complaint, the friend of the accused has already been arrested and enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.21692 of 2022

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4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner had illicit intimacy with some other person when the defacto complainant had questioned about the same, the petitioner and her paramour assaulted the defacto complainant with helmet and caused serious injuries. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions of the learned Counsel, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before learned XVIII Metropolitan Magistrate, Saidapet, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum to the satisfaction



Crl.O.P.No.21692 of 2022

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, 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;

[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



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Crl.O.P.No.21692 of 2022

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;

13.09.2022

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Crl.O.P.No.21692 of 2022

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.21692 of 2022

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