



CrI.O.P.No.22512 of 2022

WEB COPY

CrI.O.P.No.22512 of 2022

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, 326(B), 506(ii) of IPC in Crime No.109 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the petitioner along with A1 had waylaid the defacto complainant, who is the wife of the A1 and assaulted her with hands, due to which, she had sustained injuries. Further, the petitioner and A1 had threatened her with a knife, abused her in filthy language and also poured a liquid on her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case since he happens to be friend of A1. He would submit that there is no previous case pending against the petitioner. Therefore, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.22512 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to matrimonial dispute, the petitioner along with A1 had waylaid the defacto complainant and assaulted her. He would further submit that A1 in this case has been arrested and released on bail and the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain 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.II, Tirupatur** on condition that the 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,



Crl.O.P.No.22512 of 2022

failing which, the petition for anticipatory bail shall stand automatically 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 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.

19.09.2022

shk



WEB COPY



Crl.O.P.No.22512 of 2022

A.D.JAGADISH CHANDIRA, J.

shk

Crl.O.P.No.22512 of 2022

19.09.2022