



A.D.JAGADISH CHANDIRA, J.

2. The case of the prosecution is that due to family dispute, the petitioners abused the defacto complainant, intimidated and also set fire to the belonging of the defacto complainant. Hence, the complaint.

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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a counter case and during the fight between the family members, the petitioners have assaulted the defacto complainant and her family members and set fire to the belongings of the defacto complainant. On the complaint given by the petitioners' side, a case in Crime No.305 of 2022 has been registered by the respondent Police. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Salem on condition that each of the



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petitioners shall execute 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 petitioners 1 and 2 shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation. The petitioners 3 to 5 shall report before the respondent police daily at 10.30 a.m, for a period of one week and thereafter 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 absconds, a fresh FIR can be registered under Section 229A IPC;

23.09.2022

vkr

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