



Crl.O.P.No.24922 of 2022

Crl.O.P.No.24922 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323 and 506(i) of IPC in Crime No.805 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that her son namely Loganathan was married to one Srimathi and they got separated two years back and matrimonial dispute was pending before the Subordinate Court, Poonamalle. Her son was running a briyani shop, while so on 02.10.2022, the defacto complainant's daughter-in-law along with her relatives had come to the house of the defacto complainant and threatened her and her son to settle the briyani shop in favour of her and also assaulted her. Hence the complaint.

3. The learned counsel for the petitioners would submit that the first petitioner is daughter-in-law of the defacto complainant and second



Crl.O.P.No.24922 of 2022

petitioner is mother of the first petitioner. He would further submit that the defacto complainant's son had driven the second petitioner from the matrimonial home and disputes are pending between them. When the family members of the 2nd petitioner have questioned about the conduct of the son of the defacto complainant, a false complaint has been given. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that during matrimonial dispute, the petitioners have assaulted the defacto complainant and her son. He would further submit that the matrimonial proceedings are pending before the Subordinate Court, Poonamalle. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl.O.P.No.24922 of 2022

WEB COPY

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.I, Poonamallee**, on condition that each of the 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 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.**

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



Crl.O.P.No.24922 of 2022

WEB COPY

[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]**.

14.10.2022

vkr



WEB COPY



Crl.O.P.No.24922 of 2022

A.D.JAGADISH CHANDIRA, J.

vkf

Crl.O.P.No.24922 of 2022

14.10.2022