



Crl.O.P.No. 25374 of 2022

Crl.O.P.No. 25374 of 2022

WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 323, 324 IPC in Crime No.731 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to a matrimonial dispute, his wife along with her friends trespassed into his house and picked up quarrel and also assaulted the defacto complainant and his mother, which resulted in sustaining injuries. Hence, the case.

3. The learned counsel for the petitioners would submit that the first petitioner is the wife of the defacto complainant and she is five months pregnant, however, she was harassed by the defacto complainant. He would further submit that there was a matrimonial dispute between the petitioners and the defacto complainant, therefore, a false complaint has been given as against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) would submit

that the first petitioner along with her friends trespassed into the house of the defacto complainant and picked up quarrel and also assaulted the defacto complainant and his mother, which resulted in losing of two teeth of the defacto complainant. He would further submit that the injured has been discharged from the hospital. However, he opposed to grant of anticipatory bail to the petitioners.

5. Considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 10th Metropolitan Magistrate Court, Egmore, Chennai on condition that the petitioners shall execute a 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



CrI.O.P.No. 25374 of 2022

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 first petitioner 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. The petitioners 2 to 4 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter on every Saturday at 10.30 a.m., until further orders.

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

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

19.10.2022

Anu



WEB COPY



Crl.O.P.No. 25374 of 2022

A.D.JAGADISH CHANDIRA, J.
Anu

Crl.O.P.No.25374 of 2022

19.10.2022