



Crl.O.P.Nos.25800 & 25803 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners in both the Criminal Original Petitions, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 & 506(ii) altered into 307 & 427 of IPC in Crime No.147 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution in both Criminal Original Petitions as per the *de-facto* complainant Prema is that due to civil dispute, the petitioners have abused her and her relatives and assaulted them with knife, due to which, they sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners and the *de-facto* complainant are relatives and due to a family quarrel, the incident had happened. He would also submit that the injured has been discharged from the hospital and there is no previous case pending against the petitioners. He would further submit that the



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petitioners are ready to abide by any stringent condition that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners and the *de-facto* complainant are relatives. During a family quarrel, the petitioners along with other accused have assaulted them with knife. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned 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.

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**



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XVII Metropolitan Magistrate, Saidapet, Chennai – 600 015, on condition that each of 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 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., 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.



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[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.

11.11.2022

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