



Crl.OP.No.28019 of 2022

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

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 354, 427, 506(ii) IPC r/w Section 4 of TNPHW Act in Crime No.281 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant one Mayili is that prior to one week, her son one Ajithkumar had eloped with one Divya, daughter of one Ramar and married her. Due to which, the family members of the said Ramar given complaint against the petitioner's family. While so, on 14.09.2022, the said Ramar and his relatives came to the house of the defacto complainant at 11.30 p.m., and abused and assaulted them and caused damage to the articles in the house. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. The defacto



Crl.OP.No.28019 of 2022

complainant's son had eloped with the daughter of one Ramar and the petitioner is a relative of the said Ramar. The petitioner and the family members of the defacto complainant had gone in search of the daughter of the defacto complainant. Other than that, nothing had happened. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned learned Additional Public Prosecutor appearing for the respondent would submit that prior to one week, the son of the defacto complainant one Ajithkumar had eloped with one Divya, daughter of one Ramar and married her. Due to which, the family members of the said Ramar given complaint against the petitioner's family. While so, the said Ramar and his relatives came to the house of the defacto complainant at 11.30 p.m., and abused and assaulted them and caused damage to the articles in the house. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-



Crl.OP.No.28019 of 2022

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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-II, Attur 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, failing which, the petition for anticipatory bail shall stand 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.

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

Anu



Crl.OP.No.28019 of 2022

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

25.11.2022

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Crl.O.P.No.28019 of 2022