

Crl.O.P.No.29416 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 448, 294(b) and 506(i) of IPC in Cr.No.206 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant and a case was also filed before the Alandur Civil Court. Pending litigation the petitioners attacked the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate appearing for the respondent would submit that due to civil dispute the petitioners attacked the defacto complainant. Hence, he oppose to grant anticipatory bail to the petitioners.



5. Taking into consideration the facts and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Alandur, Kanchipuram District** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) **the petitioners shall stay at Cuddalore and report before the Cuddalore Town Police Station on every**



wednesday for a period of two weeks report and thereafter, appear before the trial Court on all hearing dates.

(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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

20.12.2022

smn



WEB COPY



4

Crl.O.P.No.29416 of 2022

T.V.THAMILSELVI, J.

smn

Crl.OP.No.29416 of 2022

20.12.2022