



Crl.O.P.No.30492 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420 and 506(ii) of IPC in Crime No.236 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners 1 and 2 are the wife and brother-in-law of one Prasanna/A1. There was a dispute with regard to payment of amount and other aspects in respect of constructing temple between the petitioners and the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that they are innocent persons and they have not committed any offence as alleged. He would also submit that A1 has also given a complaint against the defacto complainant and her family for abetting A1 and his family to commit suicide by consuming poison and the same has been registered in Crime No.237 of 2022, which is also pending. Hence, he prays for grant



of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that there was a dispute with regard to payment of amount and other aspects in respect of constructing temple between the petitioners and the defacto complainant. He would also submit that the investigation was almost completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and also the submissions made by the learned Government Advocate (Crl.Side), 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 Judicial Magistrate No.V of Coimbatore**, on condition that



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each of the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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 1st petitioner shall report before the respondent police as and when required for interrogation and the petitioners 2 and 3 shall report before the respondent police on every Wednesday at 10.30 a.m. for a period of three months;**

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

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

13.12.2022

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