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Crl.O.P.No.30553 of 2022

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 323, 294(b) & 506(i) of IPC in Crime No.not known of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are flat owners and known to each other. Due to non co-operation of the staffs in the apartments a wordy quarrel arose between them. Hence, the case.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. Learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned **Government Advocate (Crl side)** submits that there was a wordy quarrel between the petitioners and the defacto complainant due to non-cooperation of the staffs in the apartments. However, he opposed



for granting anticipatory bail to the petitioners.

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5. Considering the fact that both the petitioners are senior citizens, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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, Poonamallee, on condition that each of the petitioner shall execute a 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 petitioners are directed to report before the respondent police **as and when required for interrogation.**

[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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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