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Crl.O.P.No.30749 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 294(b), 324, 506(i) of IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.19 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the mother-in-law of the defacto complainant instigated his son to kill her. Husband of the defacto complainant abused her using filthy language and assaulted her. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) submits that the mother-in-law of the defacto complainant instigated his son to kill her. Husband of the defacto complainant abused her using filthy language and assaulted her. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the **learned Judicial Magistrate, Denkanikottai** on condition that petitioner shall execute a 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



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shall stand dismissed and on further condition that:

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[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 is directed to go for separate residence and not to interfere with the family affairs of the defacto complainant and her husband. The husband of the defacto complainant shall take care of his mother from separate residence;

[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.

[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



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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.

16.12.2022

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