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CrI.O.P.No.31113 of 2022

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 323 and 506 (i) of IPC in Cr.No.474 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.Totally there are two accused in this case and the petitioner herein is arrayed as A2. The case of the prosecution is that the sister of the defacto complainant/ Sangeetha has illicit relationship with A1, hence there was a family dispute in the defacto complainant's family and she breakaway the relationship with A1. Thereafter, A1 threatened the said Sangeetha to continue the illicit relationship with him, due to which she consumed poison. Subsequently there was a wordy quarrel between the A1 and the defacto complainant and thereby the petitioner/A2 and A1 attacked the defacto complainant and abused him with filthy language. Thereby, the defacto complainant lodged a complaint against the petitioner.



3.The learned counsel appearing for the petitioner submits that as the petitioner is friend of A1, he has been implicated in his case and he is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4.The **learned Government Advocate (Crl. side)** submits that the petitioner along with A2 attacked the defacto complainant and also abused him with filthy language. Hence he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate II, Kallakurichi*** on condition that the 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 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 Court concerned 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 every Wednesday and Sunday at 10.30 a.m. for a period of three weeks and thereafter, appear before the trial Court on all hearing dates.

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

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