



Crl.O.P.No.31185 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), 420 & 506(i) of IPC, in Crime No.702 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the husband of the second petitioner has obtained a hand loan for a sum of Rs.5lakhs from the de-facto complainant and after his demise, when the de-facto complainant asked the second petitioner to return her money, she along with the first petitioner abused the de-facto complainant and threatened her, thereby, the de-facto complainant has filed a petition under Section 156(3) before the learned Judicial Magistrate No.II, Tambaram and based on the direction given by the learned Magistrate, the present complaint was registered for the offences under Sections 294(b), 420 & 506(i) of IPC, in Crime No.702 of 2022. Hence the case.



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3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offences and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the second petitioner's husband has availed a hand loan for a sum of Rs.5,00,000/- from the de-facto complainant. He further submitted that after the demise of the husband of the second petitioner, when the de-facto complainant asked the second petitioner to return her amount, she along with the first petitioner threatened the de-facto complainant and abused her in a filthy language. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners, on instructions, submitted that without prejudice to the rights, the petitioners are



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ready to deposit a sum of Rs.25,000/- each to the credit of crime number.

Hence, he prays for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners that the petitioners are volunteered to pay a sum of Rs.25,000/- each to the credit of the Crime No.702 of 2022, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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-II, Tambaram**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each



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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 stands dismissed and on further condition that:

[a] the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty five thousand only) each to the credit of Crime No.702 of 2022 before the learned Judicial Magistrate-II, Tambaram, within a period of three weeks from the date of receipt of a copy of this order and on such deposit the said amount may be disbursed to the de-facto complainant, within a period of two weeks thereafter;

[b] 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;

[c] the petitioners shall report before the respondent police every Wednesday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

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



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[e] the petitioners shall not abscond either during investigation or trial;

[f] 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.

9. Post the matter for reporting compliance on 25.01.2023.

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