



Crl.O.P.No.1792 of 2023

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**T.V.THAMILSELVI, J.**

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323, and 506(i) of IPC in Cr.No.341 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute the petitioners abused the defacto complainant with filthy language and also assaulted him by using hands. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the defacto complainant is aged about 45 years and he is having wife and two children. He further submit that a case for divorce against his wife is pending before the Court and after the divorce proceedings are over he is having plan to marry one Sumathi. He further submit that the said Sumathi mentioned in the FIR is none other than elder sister of the petitoners. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.side) would submit that it is a case of the family dispute. He opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Vaniyampadi, Thirupathur District**, 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 petitioners 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 petitioners shall report before the respondent policeon**



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**every Wednesday at 10.30 a.m for a period of three weeks and thereafter, as and when require for interrogation;**

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(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]*; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

**30.01.2023**

*vsn*

**T.V.THAMILSELVI, J.**



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