



CrI.O.P.No.1744 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 147, 148, 323, 451, 365 of IPC in Cr.No.5 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a father-in-law. This petitioner is the first son-in-law of the defacto complainant and due to some family dispute the petitioner's wife left the matrimonial home and staying with her parents. It is alleged that 03.01.2023 the petitioner and his friends went the house of the defacto complainant and had forcibly taken his daughter. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the due to family dispute his wife and son were staying with the defacto complainant. However on account of ensuring pongal on 03.01.2023 the petitioner and his relatives went to the defacto complainant's wife pacified the petitioner's wife and brought to her back to home along with her son.



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The defacto complainant is not interested in sending his daughter along with this petitioner. Hence, the learned counsel prays to grant anticipatory bail to the petitioner

4.The learned Government Advocate (Crl.side) would submit that there are four previous case pending as against the petitioner. He opposed to grant anticipatory bail to the petitioner.

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

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, No-II, Coimbatore**, 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



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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 stay at Vellore and signed before the Town police station daily at 10.30 a.m for a period of six weeks and thereafter, as and when require for interrogation; not to interfere with the defacto complainant's family

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

(e)the petitioner 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

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vsn

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