



CrI.O.P.No.4074 of 2023

CrI.O.P.No.4074 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 324 and 506(ii) of IPC r/w. Section 4 of TNPHW Act in Cr.No.28 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the de-facto complainant are close relatives and due to family dispute, the petitioners herein called the de-facto complainant to their residence, abused her using filthy language and attacked her by using axe, due to which, the de-facto complainant sustained grievous injuries. Hence, this complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (CrI.side) submits that due to family



CrI.O.P.No.4074 of 2023

dispute, the petitioners herein attacked the de-facto complainant by using lethal weapons, due to which, the de-facto complainant sustained injuries.

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

5. Considering the facts and circumstances of the case and also the fact that the de-facto complainant/injured got discharged from the hospital, 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 No.I, Mannargudi, Thiruvarur District**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 2nd petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of four weeks, however, the 1st & 3rd petitioners shall report before the respondent police as and when required for further interrogation;

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

(d) the petitioners 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 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;

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



WEB COPY

skt



Crl.O.P.No.4074 of 2023

27.02.2023

T.V.THAMILSELVI, J.

skt

Crl.O.P.No.4074 of 2023



WEB COPY



CrI.O.P.No.4074 of 2023

27.02.2023