



Crl.O.P.No.4113 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 341, 294(b), 323, 506(i) of IPC r/w Section 4 of T.W.H.Act in Cr.No. 20 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 16.01.2023, there was a wordy quarrel between the petitioners, the defacto complainant and her husband. When the same was questioned by the defacto complainant, the petitioners attacked the husband of the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged in the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) submits that no one sustained injury in the alleged occurrence.



5. Considering the facts and circumstances of the case and also the fact that there is no injury as alleged in the prosecution, 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, Pallipattu**, 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 petitioners shall report before the respondent police every Sunday at 10:30 a.m. for a period of six weeks;**

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



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(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.

27.02.2023

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