



Crl.O.P.No.4137 of 2023

Crl.O.P.No.4137 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC r/w. Section 4 of TNPHW Act in Cr.No.76 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused person abused the de-facto complainant's mother using filthy language and attacked her, due to which, the de-facto complainant's mother grievous injuries in her legs and got admitted in the hospital. Hence, this complaint.

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

4. Learned Government Advocate (Crl.side) submits that the petitioner along with his son attacked the de-facto complainant's mother, due to which,



CrI.O.P.No.4137 of 2023

she sustained fracture in her legs and got admitted in the hospital and she is still in the hospital. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner on his own volition, is ready to deposit a sum of Rs.10,000/- to the credit of the Cr.No.76 of 2023, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Cr.No.76 of 2023 within a period of four weeks from the date on which the order copy is made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate Court No.II, Villupuram**, 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, failing which, the petition for anticipatory bail shall



CrI.O.P.No.4137 of 2023

stand dismissed and on further condition that:

WEB COPY

(a) the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Cr.No.76 of 2023 before the concerned Magistrate of four weeks from the date on which the order copy is made ready and the de-facto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

(b) the petitioner 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;

(c) the petitioner shall report before the respondent police on every Tuesday and Sunday at 10.30 a.m. for a period of three months;

(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 petitioner in accordance



CrI.O.P.No.4137 of 2023

with law as if the conditions have been imposed and
the petitioner released on bail by the

T.V.THAMILSELVI, J.

skt

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.

24.02.2023

skt



WEB COPY



CrI.O.P.No.4137 of 2023

CrI.O.P.No.4137 of 2023