



Crl.O.P.No.4278 of 2023

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

The petitioner, who apprehends arrest for the alleged offence under Section 354(1)(i), 294(b), 323, 324 and 506(i) of IPC altered to 294(b), 323, 324, 376(2)(1), 450 and 355 of IPC in Cr.No.17 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein is none other than the mother of the main accused A1. On 15.05.2022, the accused A1 trespassed into the de-facto complainant's house while her mother was sleeping and misbehaved with the de-facto complainant's mother. When the same was questioned by the de-facto complainant and her mother, the petitioner herein along with other accused persons abused them using filthy language and attacked the de-facto complainant's mother, due to which, she sustained injuries and got admitted in the hospital. Hence, this complaint.

3. Learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submits that the specific overtact against the petitioner herein is that, when the victim and the de-facto complainant informed the misbehaviour of the accused A1 to the petitioner herein, she abused the de-facto complainant and her mother and attacked them. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the fact that the investigation in respect of the involvement of the petitioner herein in this case is almost completed, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his 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, Attur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties (**one must be blood surety**) 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



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further condition that:

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(a)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;

(b)the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of three months;

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

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

02.03.2023

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