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CrI.O.P.No.4804 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 324 and 506(ii) of IPC in Crime No.71 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant Yuvaraj is that the de facto complainant and the fourth accused/A4 are husband and wife. There was a family dispute between them. On 20.02.2023 at about 8.30 p.m., the accused persons came to the de facto complainant's house and attacked the de facto complainant with knife. Hence the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that it is a case and case in counter.



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He would also submit that the petitioners are ready and willing to furnish solvent sureties and to abide by any stringent condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that due to family dispute, the accused persons came to the de facto complainant's house and attacked the de facto complainant with knife, resulting him in sustaining injuries. He would further submit that the injured has been discharged from the hospital and it is a case and case in counter. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made on either sides and also of the fact that it is a case and case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. 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 on which the order copy made ready, before the **learned XXIII Metropolitan Magistrate, Saidapet**, on condition that the each of the petitioner shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 stand dismissed 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 Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.

[b] **the third and fourth petitioners shall report before the respondent Police as and when required for interrogation; the first and second petitioners shall report before the respondent Police every day at 10.30 a.m., for a**



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period of four weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

06.03.2023

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