



Crl.O.P.No.6006 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 147, 294(b), 323 and 506(i) of IPC, in Crime No.71 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant S.Nandhakumar, is that on 25.01.2023, the petitioners barged into his house and criminally intimidated him for want of jewels adorned to the fifth petitioner during her marriage with his brother. The further allegation is that the petitioners had abused the de facto complainant's mother and grand mother with filthy language and assaulted them. Further, they criminally intimidated the de facto complainant and his brother with dire consequences. Hence the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence



Crl.O.P.No.6006 of 2023

as alleged by the prosecution. He would further submit that a case of family dispute has been exaggerated and a false complaint has been given against the petitioners. He would further submit that it is a case and case in counter and on the complaint given by the petitioners side, a counter case in Crime No.70 of 2023 has been registered against the opposite party. He would also submit that the petitioners are ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the respondent would submit that it is a case and case in counter. He would further submit that on account of family dispute, the petitioners barged into the house of the de facto complainant, abused him and his family members with filthy language and also assaulted them. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



Crl.O.P.No.6006 of 2023

WEB COPY

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

6. Taking into consideration of the facts and submissions that it is a case and case in counter and further on the complaint given by the petitioners side, the counter case was also registered in Crime No.70 of 2023, this Court is inclined to grant Anticipatory Bail to the petitioners with certain conditions.

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 Judicial Magistrate-II, Alandur**, on condition that **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



Crl.O.P.No.6006 of 2023

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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every day at 6.30 p.m., for a period of two weeks and thereafter as and when required for 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]**.



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CrI.O.P.No.6006 of 2023

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

17.03.2023

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CrI.O.P.No.6006 of 2023

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CrI.O.P.No.6006 of 2023

17.03.2023