



Crl.O.P.No.6565 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 323, 324 and 506(ii) of IPC in Crime No.767 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the petitioners and the defacto complainant, due to which, the accused assaulted the defacto complainant and threatened him with dire consequences. 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. 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



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attacked the de facto complainant and threatened him with dire consequences. He would further submit that the injured has been discharged from the hospital and it is a case and case in counter. However, he 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.

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 on which the order copy made ready, before **the learned Metropolitan Magistrate, George Town, Chennai**, 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



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

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter report before the respondent police 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];**



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

31.03.2023

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