



Crl.O.P.No.6893 of 2023

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**A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under sections 294(b), 323, 324 & 506(ii) of IPC, in Crime No.95 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant, Meena, is that due to the matrimonial dispute, on 17.03.2023, the accused have abused the de-facto complainant in a filthy language and assaulted her with iron rod, hands and also kicked on her stomach, due to which, she sustained grievous injuries, and they have also threatened her with dire consequences. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, aged about 52 years and he has been falsely implicated in this case. He further submitted that the petitioner is none other than the father-in-law of the de-facto complainant and due to



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the matrimonial dispute, the de-facto complainant has lodged a false complaint against the petitioner and his son. He also submitted that they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to the matrimonial dispute, the petitioner, who is the father-in-law of the de-facto complainant, along with his son A1, husband of the de-facto complainant, abused and assaulted the de-facto complainant using iron rod and also kicked on her stomach, due to which, she sustained grievous injuries and admitted in the hospital. Based on the complaint given by the de-facto complainant, the respondent has registered a case in Crime No.95 of 2023 and arrested the first accused and remanded him to judicial custody. He also submitted that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Arcot**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



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concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, on every Saturday at 10.30a.m., until further orders;**

[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 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.

**30.03.2023**

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**A.D.JAGADISH CHANDIRA, J.**

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**30.03.2023**