



Crl.O.P.No.7726 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 294(b), 323 and 506(1) IPC, in Crime No.32 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Shanthi is that she is working as a Cook in Velleeshwarar Temple and used to prepare food for Annadhanam. On 19.02.2023 at about 6.00 a.m., the sister of the defacto complainant/1st petitioner herein abused her in filthy language and further, on the instruction of the 2nd and 3rd petitioners who are her brother and sister-in-law, the 1st petitioner, pushed her down, stamped on her chest. Further, she tore her Jacket and also strangled her neck. Hence, the case.

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 the 2nd petitioner is a Practicing Advocate and that there is a case in counter and hence, he seeks for grant of anticipatory bail to the petitioners.



Crl.O.P.No.7726 of 2023

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4. The learned Government Advocate (Criminal Side) would submit that there is a case in counter and no one was injured in the said incident and that there is no previous case against the petitioners. However, he opposed to grant anticipatory bail to the petitioner.

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 both sides and also of the fact that there is a case in counter and there is no previous case against the petitioners, 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-I, Alandur, Chennai District**, on



Crl.O.P.No.7726 of 2023

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condition that the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) with two sureties** 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 petitioners 1 and 3, shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, on every Saturday at 10.30 a.m., until further orders.

The 2nd petitioner shall report before the respondent police everyday at 06.30 p.m., for a period of one week and thereafter, on every Saturday at 06.30 a.m., until further orders.



Crl.O.P.No.7726 of 2023

[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.

12.04.2023

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Crl.O.P.No.7726 of 2023

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ksa-2

Crl.O.P.No.7726 of 2023

12.04.2023