



Crl.O.P.No.7832 of 2023

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(i) IPC, in Crime No.115 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Kandasamy is that there was a gossip connecting the defacto complainant's wife and the 2nd petitioner's son. While so, on 17.03.2023, there was a quarrel between the mother-in-law of the defacto complainant and the mother-in-law of the 2nd petitioner and when the defacto complainant and his wife intervened, the petitioners abused them in filthy language and also attacked the defacto complainant with hands. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) for the respondent police opposed for grant of anticipatory bail to the petitioners stating that due to dispute over gossip, the petitioners abused the defacto complainant and his wife with filthy language and also attacked the defacto complainant and caused him injuries. He would further submit that now the injured has been discharged from the hospital.

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

6. Considering the above facts and circumstances of the case and the fact that the injured has been discharged from the hospital, 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 is made ready, before **the Judicial Magistrate Court-I, Pollachi**, on condition that the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten 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 petitioners shall stay at Chennai and report before the Inspector of Police/Station House Officer, K4, Annanagar Police Station, everyday at 06.30 p.m. until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.



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[f] 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]**.

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

13.04.2023

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Copy to;

**The Inspector of Police/Station House Officer
K4, Annanagar Police Station, Chennai**



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