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Crl.O.P.No.8216 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324, and 506(ii) of IPC, in Crime No.33 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Rathinammal is that there was a property dispute between her and her sister Soundarya. While so, on 26.02.2023, her sister Soundarya along with her husband/petitioner herein, son and daughter abused the defacto complainant with filthy language and also assaulted her with hands and Spade stick and also threatened with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case due to previous enmity. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that due to property dispute, the petitioner along with other accused abused the defacto complainant with filthy language and also assaulted her and that there is a case in counter. Hence, he opposed to grant anticipatory bail to the petitioner.



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record.

5. Heard both sides and perused the materials available on

6. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side, 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 Judicial Magistrate-I, Sangagiri**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 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.



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[b] the petitioner shall stay at Chennai and report before the Thirumangalam Police Station, everyday at 10.30 a.m., for a period of two weeks and thereafter, report before the respondent police on every Saturday at 10.30 a.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].

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

19.04.2023

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Copy to:

The Inspector of Police,
Thirumangalam Police Station, Chennai.



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A.D.JAGADISH CHANDIRA, J.,

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