



Crl.O.P.No.9592 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147,294(b), 323 and 506(i) of I.P.C in Crime No.100 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/ Sakthivel is that the first petitioner/Sowimya is his wife, third and fourth petitioners are his father-in-law and mother-in-law, Second petitioner is his brother-in-law and fifth petitioner is the relative of first petitioner/Sowimya. It is alleged that there was some matrimonial dispute between the defacto complainant and his wife/first petitioner, due to which the petitioners herein assaulted and abused the defacto complainant and his sister and caused injuries to them. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence and they have been falsely implicated in this case. He further submitted that



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there was some family dispute between the first petitioner and the defacto complainant, that apart they have not committed any offence as alleged by the prosecution . Hence he seeks for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that defacto complainant/ Sakthivel is the husband of the first petitioner and there was some matrimonial dispute in the family, due to which the family members of the first petitioner attacked the defacto complainant and his sister and caused injuries to them. He also submitted that the injured discharged from the hospital. Hence he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties and the fact that the



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injured 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 made ready, before the **learned VII Metropolitan Magistrate Court, George Town, Chennai** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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



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two weeks and thereafter on 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]**;

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

28.04.2023

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