



CRL.O.P.NO.10950 OF 2023

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 and 324 IPC, in Crime No.601 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on the date of occurrence viz., 06.09.2022, there was a wordy quarrel between the petitioner and the defacto complainant. The defacto complainant is the husband of the petitioner and the petitioner assaulted the defacto complainant and both abused each other in filthy languages. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the wife of the defacto complainant and she is an innocent person and she has been falsely implicated in this case, as divorce proceedings are pending between them. The petitioner caused no injuries on the defacto complainant. He would further submit that the petitioner is



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ready and willing to abide by any stringent condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the defacto complainant is the husband of the petitioner and divorce proceedings are pending between them. On the date of occurrence, there was some wordy quarrel between the petitioner and the defacto complainant and the petitioner assaulted the de facto complainant and the de facto complainant sustained no injuries. However, he opposed to grant anticipatory bail to the petitioner.

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

6.Taking into consideration the facts and circumstances of the case and also the submission of both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Ambattur**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioner 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 petitioner, being a lady, shall report before the respondent police as and when required for interrogation;



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[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 petitioner / accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

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