



Crl.O.P.No.11629 of 2023

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 24 of Maintenance and Welfare of Parents & Senior Citizens Act, 2007 in Crime No.286 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 21.04.2023, the petitioner and her husband abused the de-facto complainant with filthy language and attacked the de-facto complainant and thrown out from the house forcibly. Hence, the de-facto complainant lodged a complaint. Hence, the case.



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3. The learned counsel for the petitioner submitted that the petitioner is the wife of 1st accused and the de-facto complainant is the mother-in-law of the petitioner. The petitioner has been falsely implicated in this case. She is innocent and she is no way connected with the said offence. The petitioner is ready to abide by any condition that may be imposed by this Court. He would further submit that the 1st accused has already been arrested and released on bail by the Additional Mahila Judge, Tiruvallur, in Crl.M.P.No.5184 of 2023 on 02.05.2023.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner.

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



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6. Considering the facts and circumstances of the case, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Tiruvallur**, on condition that the petitioner shall execute a bond 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass



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Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[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.

18.05.2023

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