



Crl.O.P.No.11648 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 offences punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.157 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the accused, who is the brother-in-law of the defacto complainant, by suspecting her fidelity, has abused her in a filthy language and assaulted her and also threatened her. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner and the defacto complainant are relatives and due to some misunderstanding, a false complaint has been given against him. He would further submit that the petitioner is no way connected with the alleged offence and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.11648 of 2023

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4.Per contra, the learned Government Advocate (crl.side) would submit that the petitioner, who is the brother-in-law of the defacto complainant, by suspecting her fidelity, has abused her in a filthy language and assaulted her and also threatened her. He would further submit that no previous case is pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate and perused the materials available on record.

6. Taking into consideration the 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 No.II, Thiruvallur, on condition that the petitioner



Crl.O.P.No.11648 of 2023

WEB COPY

shall execute a bond 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 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 shall stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, daily at 10.30 a.m., for a period of four weeks and thereafter, report before the respondent Police, daily 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



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CrI.O.P.No.11648 of 2023

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;

09.06.2023

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Crl.O.P.No.11648 of 2023

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.11648 of 2023

09.06.2023