



WEB COPY



CrI.O.P.No.14183 of 2023

CrI.O.P.No.14183 of 2023

G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294 (b), 323 and 506 (i) I.P.C. in Crime No.151 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the submission of learned counsel for the petitioner that defacto-complainant is mother of the petitioner. On the basis of the false complaint given by the defacto-complainant, First Information Report in Cr.No.151 of 2023 was registered for the offences under Sections 294 (b), 323 and 506 (i) I.P.C. Apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned Government Advocate (Criminal side) submitted that petitioner had beaten the defacto-complainant in connection with the property dispute. When her husband intervened, he was also beaten by the petitioner. He further submitted that the injured



Crl.O.P.No.14183 of 2023

was treated as outpatient. Hence, he opposed this petition.

4.Considered the submissions and perused the records.

5.Considering the facts and circumstances in which the incident had happened, the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioner for the reason that custodial interrogation of the petitioner is not necessary. Thus, 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, Mannargudi, Thiruvarur District**, on condition that the petitioner 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



WEB COPY



Crl.O.P.No.14183 of 2023

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 report before the respondent police everyday at 10.30 a.m., and 5.00 p.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.



WEB COPY

ep



Crl.O.P.No.14183 of 2023

04.07.2023

G.CHANDRASEKHARAN. J.

ep

Crl.O.P.No.14183 of 2023



WEB COPY



Crl.O.P.No.14183 of 2023

04.07.2023