



Crl.O.P.No.14652 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 427 and 506(i) IPC, in Crime No.188 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to a previous enmity, the petitioners broke open the lock of the defacto complainant's house and assaulted the defacto complainant and also gave her life threat. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and he has been falsely implicated in this case. He would submit that first petitioner is the mother of one Arun Kumar, who is in live-in relationship with the defacto complainant. Therefore, the defacto complainant gave a false complaint against the petitioners and others. Based on which, FIR has been registered in Cr.No.188 of 2023 as against the petitioners. Hence, he prays to grant anticipatory bail to the



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petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant was threatened by the petitioners and other accused and was forced to vacate the house, in which she was living. He would submit that the defacto complainant is living with the son of the first petitioner for the past 13 years. However, the first petitioner has threatened the defacto complainant not to have any relationship with her son. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that a live-in relationship issue has lead to a criminal complaint, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, since custodial interrogation is not necessary.

6. 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 Judicial Magistrate No.I, Mettur, Salem on condition that the petitioners



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shall execute a separate 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 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 two weeks. Thereafter, 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]**.



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Anu

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

30.06.2023

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