



Crl.O.P.No.16161 of 2023

Crl.O.P.No.16161 of 2023

WEB COPY

G.CHANDRASEKHARAN. J.

The petitioner namely Muthuvel, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324, 506(ii) of IPC in Crime No.2965 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in a case registered for the offences under Sections 294(b), 324, 506(ii) of IPC in Crime No.2965 of 2020. Apprehending arrest, present petition is filed.

3. In response, learned Government Advocate (Crl. Side) petitioner is the father-in-law of the defacto complainant. Defacto complainant's wife was pregnant and therefore, she was with her parents. Thereafter, petitioner's wife died. Defacto complainant asked the petitioner to bring his daughter to his house. On 28.11.2020 at about 08.30.p.m., defacto complainant visited the petitioner's house for taking



Crl.O.P.No.16161 of 2023

his wife with him. However, petitioner refused to send his daughter with him. Not only that, he abused the defacto complainant in filthy language and also attacked him with wooden log. As a result, defacto complainant sustained injuries and admitted in the hospital and later discharged.

4. It is seen that, FIR in this case was registered on 29.11.2020, however, till now petitioner is not arrested. Considering the nature, facts and circumstances of the case and 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.

5. Accordingly, 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, Thiruthuraipoondi** 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



Crl.O.P.No.16161 of 2023

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 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 report before the respondent police daily at 10.30.a.m., until further orders

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].



WEB COPY



CrI.O.P.No.16161 of 2023

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

24.07.2023

sma



WEB COPY



Crl.O.P.No.16161 of 2023

G.CHANDRASEKHARAN. J.

sma

Crl.O.P.No.16161 of 2023

24.07.2023