



Crl.O.P.No.16271 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Madhavan, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 324, 307 & 506(ii) of IPC in Crime No.74 of 2023 pending on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is innocent he has been falsely implicated in a case registered for the offences under Sections 341, 294(b), 324, 307 & 506(ii) of IPC in Crime No.74 of 2023. Apprehending arrest, this petition is filed.

3. The learned Government Advocate (Crl. Side) submitted that, petitioner's brother-in-law Saravanan @ Senthil Kumar was married to defacto complainant's sister. Petitioner along with other accused harassed defacto complainant's sister by demanding more dowry for which, defacto complainant gave a complaint before the respondent police. Enraged at this, on 24.03.2023 at about 08.30.a.m., accused had waylaid the defacto complainant and his family members and assaulted them. Accused Madhavan and Meera attacked the defacto complainant



Crl.O.P.No.16271 of 2023

with hands. Accused Venkatesan had attacked them using knife, as a result, defacto complainant sustained injuries.

4. Considering the nature of the allegations made in the FIR that the petitioner had hit the defacto complainant using hands only and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioner for the reason that custodial interrogation of the petitioner is not necessary in this case.

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 No.II, Alandur** 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 arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further



Crl.O.P.No.16271 of 2023

condition that:

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[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].

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

25.07.2023

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Crl.O.P.No.16271 of 2023

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Crl.O.P.No.16271 of 2023

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