



Crl.O.P.No.19419 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324, 506(i) & (ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.297 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute between one Balaji, who is nephew of the second petitioner and his wife Sakthi Sri and they had been living separately. Due to which, the family members of the said Sakthi Sri assaulted the said Balaji and caused injuries. Thereafter, the relatives of the said Balaji/ petitioners herein trespassed into the house of the defacto complainant and assaulted her with knife and wooden log. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, they have



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been falsely implicated in this case. He would further submit that it is a case and a case in counter in Crime No.379 of 2023. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that the injured has been discharged from the hospital in this case as well as in the counter case.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. 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, Arakkonam** on condition that the petitioners shall execute a separate 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 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 everyday 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.



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[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]**.

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

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