



Crl.O.P.No.20385 of 2023

Crl.O.P.No.20385 of 2023

C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.458 of 2023, registered by the respondent Police for the offence under Sections 323 and 506(i) IPC.

2.It is stated that the defacto complainant, is the mother of the petitioner herein. It had been stated that she had given a complaint that the petitioner had beaten her on 10.6.2023 in the morning at 11.00 a.m., this fact is denied by the petitioner herein.

3.On the side of the respondents however it is stated that the defacto complainant had lodged a complaint and there had been dispute between the defacto complainant and the petitioner herein. An affidavit had been filed by the petitioner stating that he would take care of his mother and also of his sister's daughter in a good manner. It is also stated that if the mother is willing, he will take care of his mother as a dutiful son.

4.Let an affidavit be taken on record and a copy may be forwarded to the Judicial Magistrate Court No.II, Coimbatore, to be kept along with the records in Crime No.458 of 2023, E2 Peelamedu Police Station, Coimbatore. The learned Judicial Magistrate may also take note of the affidavit during the course



CrI.O.P.No.20385 of 2023

of trial and ensure that there is no violation of the undertakings given in the said affidavit.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, 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, Coimbatore** 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 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 for a period of two weeks and thereafter as and when



Crl.O.P.No.20385 of 2023

required for interrogation.

[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.

18.10.2023

kp

C.V.KARTHIKEYAN, J.

kp



WEB COPY



Crl.O.P.No.20385 of 2023

Crl.O.P.No.20385 of 2023

18.10.2023