



Crl.O.P.No.24927 of 2023

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**R.KALAIMATHI, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323,427,506(i) of IPC in Crime No.97 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the daughter-in-law of the complainant and 2nd petitioner is the younger sister of the 1st petitioner. Marriage was solemnized between the 1st and petitioner and the defacto-complainant's son. 1st and petitioner and her husband lived together only for a period of two months and thereafter oftenly wordy quarrel arose between them. The 1st petitioner begotten a female child and the same was not intimated to her husband and his family members. On 18.05.2022 the petitioners came in a car and abused the defacto-complainant and his son and other family members with filthy language and threatened them and damaged the Tiles, Chairs and TV and ran away from the spot. Hence, the complaint.



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3. The learned counsel for the petitioners stated that these petitioners are arrayed as Accused No.1 and 2. The 1st petitioner filed a D.V.C petition before the Learned Judicial Magistrate, Sholingur in D.V.C.No.4 of 2022 and the same is pending. The alleged occurrence was taken place on 18.05.2022, but the complaint was lodged only on 29.03.2023. These petitioners have not committed any offences as alleged by the respondent police. He further stated that these petitioners are innocent persons, they are no way connected with the said alleged offences. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate appearing for the respondent police submitted that, on 18.05.2022 these petitioners came in a car and abused the defacto-complainant and his son and other family members with filthy language and threatened them and damaged the Tiles, Chairs and TV. The 1st petitioner filed a D.V.C.No.4 of 2022 before the Learned Judicial Magistrate, Sholingur and the same is pending. Hence, he vehemently opposed to grant anticipatory bail to these petitioners.



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5. Taking into consideration of the above facts, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

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, Sholingur** on condition that the petitioner 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.



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**[b] the petitioners shall appear before the respondent police daily at 10.00 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 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.

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