



Crl.O.P.No.24962 of 2023

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C.V.KARTHIKEYAN, J.

The 2nd, 3rd and 4th accused who are arrayed as 1st, 2nd and 3rd petitioners in Crime No.15 of 2022 registered under Sections 294(b), 323, 506(ii), 392, 394, 427, 451 of IPC and Section 4 of TNPHW Act with respect to an occurrence which took place on 12.9.2021, seeking anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.It is the case of the petitioners that the de facto complainant is the daughter-in-law of the 1st petitioner/A2. Her husband/son of the 1st petitioner/A2 had unfortunately died and thereafter had been continuous disputes over sharing of property. In this connection, the de facto complainant and her daughter and son have filed O.S.No.480 of 2021, before the Principal District Court At Thiruvallur, seeking partition and separate possession of properties which have been mentioned in the scheduled to that particular plaint. The learned counsel states that the properties will have to divided in accordance with the judgement delivered in the said suit and the present complaint does not contain correct allegations.

4.It is also seen that the 1st accused in FIR is the father-in-law of the de facto complainant/husband of the 1st petitioner/A2 and it is stated that he had been arrested and subsequently granted bail. Taking an over all view of the entire issue particularly since, the quarrel is escalated owing to disputes over partition of property, anticipatory bail is **granted to the 1st, 2nd and 3rd petitioners/A2, A3 and A4**. It is also informed that the 4th petitioner herein not an accused. In view of that particular fact, the petition stands **dismissed**



Crl.O.P.No.24962 of 2023

against the 4th petitioner. It is also informed that after investigation, final report had been filed before the learned Judicial Magistrate at Sriperumbudur filed on 9.10.2023, but not yet taken cognizance.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 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 Court, Sriperumbudur**, on condition that the petitioners each 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 3rd petitioner/A4** to appear appear before the respondent police **every day at 10.30 a.m, for a period of three weeks** and the **1st, 2nd petitioners/A2 and A3, to appear** before the respondent police **every week for a period of three weeks.**



Crl.O.P.No.24962 of 2023

[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 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.

03.11.2023

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Crl.O.P.No.24962 of 2023

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