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Crl.O.P.No.32380 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 294(b), 323, 324, 506(ii) and 302 of IPC read with Section 4 of the TNPWH Act in Crime No.529 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and along with other accused assaulted the deceased, due to which, the deceased had sustained injury and admitted in hospital. On 05.10.2022, the deceased died in the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He also further stated that the co-accused already released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) submits that due to money dispute the petitioner along with other accused assaulted the deceased. The deceased sustained injury and admitted in hospital. On 05.10.2022 the deceased died. He also further submits that co-accused already released on bail and investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact that co-accused already released on bail and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the **Learned Judicial Magistrate Court, Thittakudi** 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



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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 is directed to report before the respondent police on every Wednesday at 10.30 a.m., for a period of three months and thereafter as and when 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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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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