

Crl.O.P.No.26799 of 2023**C.V.KARTHIKEYAN, J.**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 324 and 506(ii) of I.P.C, in Crime No.307 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant suspected that the present petitioner and the husband of the de-facto complainant had developed intimacy and on account of the same, she came to the house of the petitioner and confronted the petitioner. The petitioner used abusive language and caused injury to the de-facto complainant. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submits that the petitioner used abusive language and caused injuries to the de-facto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned XVI Metropolitan Magistrate George Town, Chennai**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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, on everyday at 10.30a.m., for a period of two weeks and thereafter, as and when required;**



**[c] However, at the time of executing the sureties, the petitioner must file affidavit that she will not come anywhere near the house of the de-facto complainant and would not interfere with the marital life of the de-facto complainant.**

**[d] In the affidavit, the petitioner herein must also stated that she will not give any threat to the de-facto complainant. Simultaneously, the husband of the de-facto complainant must also file an affidavit before the XVI Metropolitan Magistrate George Town at Chennai. He will not have any relationship with the present petitioner/accused unless both the affidavits should file the sureties should not be accepted.**

**[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.**

**[f] the petitioner shall not abscond either during investigation or trial.**

**[g] 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]**.**



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

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