



Crl.OP.No.27007 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners in Crime No.895 of 2023, registered under Sections 294(b), 323 and 506(ii) IPC, seek anticipatory bail.

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

3.The de facto complainant is the son of the 1st petitioner herein, brother of the 2nd and 3rd petitioners and the brother-in-law of the 4th petitioner. Unfortunately, he is handicapped and not able to take up any avocation. He got married. According to the learned counsel for the petitioners, he expects the petitioners herein not only to looking after himself financially but also his wife. On the side of the respondent, however it is stated that the petitioners herein are continuously harassing the de facto complainant after his marriage since the petitioners did not approve of his marriage. At any rate, the entire issue will have to be settled only by the petitioners and the de facto complainant and hopefully with the assistance of his wife. Taking all the factors into consideration, anticipatory bail is granted.

4.Taking into consideration the facts and circumstances of the case,



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this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

5. 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 No.II, Poonamallee.**, on condition that each of 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.

[b] **2nd, 3rd** petitioners to appear before the respondent **everyday at 10.30 a.m., for a period of one week** and the **1st and 4th** petitioners to appear before the respondent **once a week at 10.30 am., for a period of one week** and thereafter, **all the petitioners** to appear before the respondent **as and when required** for interrogation.



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[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.

30.11.2023

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