



Crl.O.P.No.32562 of 2022

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T.V.THAMILSELVI,J.

Today, this matter is listed under the caption 'for reporting compliance'.

2. When the matter is taken up for hearing, both the first petitioner and the defacto complainant (father and the son) are appeared in person before this Court. Already, there is a dispute between them with regard to division of properties and exchange of jewels and money. The said issue was settled between them through mediation, to that effect, the settlement agreement also produced before this Court dated 10.02.2023.

3. The said settlement agreement is recorded and the same shall be the part and parcel of the order.

4. As per the terms of settlement, the petitioner has produced 5 sovereigns of gold before this Court and the same was received by the defacto complainant.

5. Both the counsel also appeared and admit that already



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there was a civil suit in OS.No.403 of 2022 is pending before the learned Additional District Judge-III, Salem and the said case is posted on 15.02.2023.

6. With regard to the partition of property as per the terms of the settlement both the parties are bound to divide the property equally and to that effect the plan was also produced by the defacto complainant. Further, the parties are work out their remedy before the trial court by producing the plan.

7. Taking into consideration the facts and the submissions made by the learned counsel for the petitioner and also taking note of the fact that the mediation talks were amicably settled between the parties. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, the petitioners are directed 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-II, Salem and** on condition that the petitioners shall execute separate bonds 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the 1st petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and 2nd, 3rd, 4th and 5th petitioners shall report before the respondent police as and when required for interrogation.

(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



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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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

02.03.2023

Vv

T.V.THAMILSELVI, J.

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