



Crl.O.P.No.28297 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A4 in Crime No.743 of 2023 registered by the Respondent Police for the offences under Sections 323 and 326 IPC, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the defacto complainant and the Accused A2 were spouses, who had subsequently separated. He further stated that the defacto complainant went over to the house of the Accused A2 for compromise talks and at that time, a quarrel arose which escalated into violence.

3. The learned counsel for the Petitioner stated that the Petitioner has been falsely implicated in this case. He also stated that she was not connected with the said offences as alleged by the Respondent. Thus, he prays for grant of anticipatory bail to the Petitioner herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. Accordingly,



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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 Judicial Magistrate, Madhavaram**, 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 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 once in a week i.e., every Saturday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the interrogation.

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



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[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 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]**.

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

19.12.2023

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