



Crl.O.P.No.28037 of 2023

C.V.KARTHIKEYAN, J.

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The petitioners/A1&A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 324 and 506(ii) of I.P.C., read with Section 4 of the Women Harassment Act, in Crime No.596 of 2023 on the file of the respondent police, seek anticipatory bail.

2.It is stated that on 26.09.2023 at around 5 p.m., the petitioners were drinking alcohol and the de-facto complainant came there and questioned and a quarrel emanated. At that time, the wife and the daughter of the de-facto complainant also came there. All the accused are said to have assaulted the de-facto complainant, his wife and his daughter. A3 was granted anticipatory bail, but it is seen that A1 and A2 have one previous case.

3. It is stated that there has been some progress in the investigation from that particular date.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.



4. 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 District Munsif cum Judicial Magistrate, Gummudipoondi**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 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]the petitioners shall report before the respondent Police, on everyday at 10.30a.m., until further orders;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

15.12.2023

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