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Crl.O.P.No.28424 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(2) of I.P.C, in Crime No.305 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is stated that the petitioner and her husband had a marital dispute and the de-facto complainant tired to intervene in the same. This accelerated into quarrel leading to violence.

3. 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.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned XIII Metropolitan Magistrate Court, Egmore**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/-**



Crl.O.P.No.28424 of 2023

WEB COPY

(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, once in a week i.e., on every Monday at 10.30 a.m., for a period of three weeks and thereafter as and when required;

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

[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



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Crl.O.P.No.28424 of 2023

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

20.12.2023

nvi



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Crl.O.P.No.28424 of 2023

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nvi

Crl.O.P.No.28424 of 2023

20.12.2023