



Crl.O.P.No.28561 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners/A2, A3 and A4 in Crime No.709 of 2023 registered by the Respondent Police for the offences under Sections 294(b), 323 and 354 IPC read with Section 4 of TNPHW Act, seek anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the Accused A1 is the husband of the defacto complainant. They have a marital dispute which is on going, as a result of which, ancillary and corollary dispute had arisen and the complaint had been lodged by the defacto complainant against these Petitioners and the Accused A1 alleging that when the parents of the defacto complainant visited the house of these Petitioners, a quarrel arose which escalated into violence. Hence, this case.

3. The learned counsel for the Petitioners stated that the Petitioners are innocent persons and they were in no way connected with the alleged offences. He also stated that the Accused A1 had been arrested and had been granted bail. Thus, he prays for grant of anticipatory bail to the Petitioners.



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4. Taking all that factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. 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 Judicial Magistrate – 2, Tambaram**, on condition that the petitioners 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] the 3rd Petitioner shall report before the Respondent Police daily at 10.30 a.m., for a period of two



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weeks and the 1st and 2nd Petitioners shall report before the Respondent Police once in a week i.e., on every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the 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 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.

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