



Crl.O.P.No.29079 of 2023

Crl.O.P.No.29079 of 2023

P.DHANABAL, J.

The petitioner/accused-2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) IPC read with Section 4 of Women Harassment Act in Crime No.483 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the *de-facto* complainant and the petitioner herein are relatives. Due to a family dispute, on 09.12.2023, there was a wordy quarrel between the petitioner and the *de-facto* complainant. At that time, the 1st accused/son of the petitioner herein had abused the *de-facto* complainant in filthy language, stabbed her using knife near her eyes, choked her neck and slapped her cheeks. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and he has been falsely implicated in this case. Hence he seeks anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that due to a family dispute, the petitioner herein had abused the *de-facto*



Crl.O.P.No.29079 of 2023

WEB COPY

complainant and his son had assaulted the *de-facto* complainant with knife, slapped her and threatened her with dire consequences. The injured has been hospitalized and discharged from the hospital. He further submitted that there is no previous cases pending against the petitioner. However, he objected to grant anticipatory bail to the petitioner.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and also the fact that the injured has been discharged from the hospital and considering the nature of offences, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, 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 V Additional Metropolitan Magistrate Court, Egmore** 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



CrI.O.P.No.29079 of 2023

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 daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[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.



WEB COPY



Crl.O.P.No.29079 of 2023

P.DHANABAL, J.

mpl/gd

[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.

28.12.2023

mpl/gd

Crl.O.P.No.29079 of 2023