



Crl.OP.No.2028 of 2024

Crl.O.P.No.2028 of 2024

WEB COPY

C.V.KARTHIKEYAN,J.

The petitioners/A1 to A3 in Crime No.54 of 2024 registered by the respondent police for the offences punishable under Sections 294(b), 323 324 and 506(ii) of IPC with respect to an occurrence which took place on 14.01.2024 seek anticipatory bail .

2. It is stated that the defacto complainant is the daughter-in-law of the first petitioner, her husband/son of the first petitioner who is working abroad. She is staying in her parents house and also as custody of the children. It is stated that the petitioners went over to that house to take custody of the children and a quarrel arose which escalated into violenc.

3. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

1/4



WEB COPY

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 Judicial Magistrate-II, Thirupathur*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (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 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 first petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and the first and third petitioners shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two weeks and thereafter as and when



Crl.OP.No.2028 of 2024

WEB COPY

required for 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.

5. The petitioners are also filed affidavits before the learned Judicial Magistrate-II, Thirupathur that if they have seek custody of the children, they will approach the Court of law in the proper manner.

05.02.2024

Vv

3/4



WEB COPY



Crl.OP.No.2028 of 2024

C.V.KARTHIKEYAN,J.

Vv

Crl.O.P.No.2028 of 2024

05.02.2024