



Crl.O.P.No.4910 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 354, 506(ii), 427 of IPC in Crime No.34 of 2024, seeks anticipatory bail.

2. The defacto complainant is the wife of the petitioner. It is stated that owing to addiction of liquor, the petitioner had often quarrelled with the defacto complainant particularly with respect to a property which had been purchased in his name. There was a fear that he would encumber the said property.

3. In the affidavit, he has stated as follows:-

“3. I submit that originally I executed a settlement in favour of his wife/defacto complainant which was belonged to me. After getting the settlement, she try to settle the property to her siblings. Therefore, I asked the defacto complainant to re-convey the property to me for which the quarrel arose between us.



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4. I submit that I filed anticipatory bail petition in Crl.O.P.No. 4910 of 2024 before this Hon'ble Court. The same is pending. Pending the above anticipatory bail petition, I filed present undertaking affidavit before this Hon'ble Court that I am not encumber, claiming, quarrel nor disturb the defacto complainant with regard to the property in future. Hence, I pray this Hon'ble Court may be pleased to pass suitable orders and thus render justice. ”

4. Taking all the factors into consideration and also the statements made above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 Judicial Magistrate No.II, Udumalpet, 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 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:



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[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 weekly once ie., every Monday at 10.30 a.m., for a period of one week 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 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.

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