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Crl.O.P.No.9936 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.182 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are all part of one family. While so, on 08.04.2024, the petitioners along with other accused, went to the house of the defacto complainant and attacked her father-in-law with a wooden log and when the husband of the defacto complainant tried to prevent it, the petitioners attacked him with a knife in his head, neck and also threatened with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that without prejudice their rights, they would ready to deposit some amount to the

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credit of Crime No.182 of 2024. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a case and case in counter. He further submits that the petitioners attacked the defacto complainant's father-in-law with a wooden log and knives, thereby causing injuries. He further submits that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case and also the fact that the petitioners without prejudice their rights, ready to deposit some amount to the credit of crime No.182 of 2024, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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**

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Judicial Magistrate No.I, Maduranthakam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) totally to the credit of Crime No.182 of 2024, before the concerned Magistrate within a period of two weeks from the date on which the order copy made ready and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount on filing undertaking affidavit and proper identification and acknowledgment;

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T.V.THAMILSELVI, J.

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(c) **the petitioners shall report before the respondent police as and when required for interrogation**;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f) 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];*** and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

24.04.2024

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