



Crl.O.P.No.9915 of 2024

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T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offence punishable under Sections 341, 324, 363 of IPC in Crime No.100 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that defacto complainant's son and one Sumukta were in love affair for the past four years. It is alleged in the FIR that when his son went to see his girl friend at Sathyabama College, she along with her new boyfriend attacked the defacto complainant's son by stick and broke his skull and 10 fingers. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would submit that there is a case in counter and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent submit that defacto complainant's son had love affair with one Sumuktha, on the date of occurrence, there was a wordy quarrel between them, due to which, the petitioner/new boyfriend attacked him and he sustained head injuries. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only)** to the credit of **Crime No.100 of 2024**, within a period of three weeks from the date of receipt of a copy of this order and the defacto complainant's son/victim is permitted to withdraw the amount and on such deposit and production of



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proof, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the **learned District Munsif cum Judicial Magistrate, Sholinganallur** 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:

[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 is directed to report before the respondent police on every Sunday for a period of three months and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

24.04.2024

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