



Crl.O.P.No.9853 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) IPC r/w 4 of TNPWH Act, in Crime No.125 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 05.04.2024 at 17.00 hrs, due to family dispute, the petitioners attacked the defacto complainant with wooden log and hands and abused in filthy language. Hence the complaint.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also stated that due to the matrimonial dispute, the de-facto complainant has lodged a false complaint as against the petitioners. He further submits that the defacto complainant is the wife of the first petitioner and for trivial issues, the defacto complainant left the matrimonial home. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to matrimonial dispute, a wordy quarrel arose between the petitioners and the defacto complainant, as a result, the petitioners attacked the defacto complainant with wooden log. He further submits that the petitioners has no previous case pending against them. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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 District Munsif cum Judicial Magistrate, Uthiramerur**, on condition that the petitioners shall execute a separate bond for a sum of



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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 report before the respondent police, as and when 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



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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

drl

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