



Crl.O.P.No.10182 of 2024

T.V.THAMILSELVI, J.

WEB COPY

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 294(b), 223 & 506(ii) of IPC in Crime No.not known on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainants are wife and mother-in-law of the petitioner. There is a misunderstanding between the petitioner and his wife and she left the matrimonial home as early as on 23.03.2024 by taking her son and daughter along with her to her parents house at Ampalli Village. The petitioner went to the house of the defacto complainants to pacify the matter where a wordy quarrel erupted and they exchanged vulgar words on each other and the petitioner's mother-in-law picked the shirts of the petitioner and assaulted the petitioner where the petitioner pushed down her. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that he is a law abiding citizens and he belongs to the respectable family and he is the



only breadwinner of the entire family. He is ready to cooperate with the investigation and he is also ready to abide by any condition that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioner.

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

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed 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 learned Judicial Magistrate No.II, Poonamallee, 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 the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) to the credit of Crime No.Not known, 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 complainants are permitted to withdraw the said amount on filing undertaking affidavit and proper identification and acknowledgment;

(c) the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial;

(d) the petitioner shall appear before the respondent



police on every Saturday at 10.30 a.m. for a period of eight weeks;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

29.04.2024

ah



WEB COPY



Crl.O.P.No.10182 of ----

T.V.THAMILSELVI, J.

ah

Crl.OP.No.10182 of 2024



WEB COPY



CrI.O.P.No.10182 of _____

29.04.2024