



WEB COPY



Crl.O.P.No.10228 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 109 r/w 302 **IPC** in Crime 232 of 2024, seeks anticipatory bail.

2. The petitioner is ranked as A2, on that date of alleged occurrence the petitioner and other accused was came up to the police station to reach a compromise with the deceased. On that day, the first accused pushed the deceased with bare hands and deceased fell down and became unconscious and died on the way to the hospital. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner gave complaint against the deceased for he misbehave with her and thereafter all were came to the police station at that time above incident was happened. Hence, the petitioner was impleaded as A2. Further, he stated that co-accused has been released on bail. He prays to allow this petition.



WEB COPY

4. On seeing the facts of the case, A1 has been released on bail. Further, the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioner is 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 Judicial Magistrate, Tiruvallur**, on condition that the petitioner shall execute a separate 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:



WEB COPY

[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 on as and when required for interrogation.

[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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

6. On considering the fact that the deceased died leaving two children this Court recommends that it is a fit case to refer, as per 357(A) (1) (2) and (6) of Cr.P.C., the Chairman, District Legal Services Authority, Tiruvallur, is hereby directed to pass appropriate orders to the District Collector, Tiruvallur, for disbursing the compensation amount of



WEB COPY

Rs.1,00,000/- (Rupees One lakhs Only) each as interim compensation to the children of the deceased, in the manner known to law based on the available schemes within a period of 4 weeks from the date of receipt of copy of this order and the said amount shall be deposited in the Fixed deposit account of the minor child.

06.06.2024

pbl



WEB COPY



T.V.THAMILSELVI, J.

pbl

Crl.O.P.No.10228 of 2024

06.06.2024