



Crl.O.P.No.10444 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 294(b), 323 and 506(2) of IPC in Crime No.48 of 2024 on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that on 29.02.2024, the 1st petitioner tried to kill the defacto complainant by strangulate her neck and caused injury to her and further the 1st petitioner along with other petitioners have caused threat to the defacto complainant's father and brother and committed the alleged offence. There was a family dispute between the defacto complainant and the 1st petitioner and that GOP is pending on the file of the Principal District, Court, Krishnagiri. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that they have not committed any offence and they are no way connected in this case. They are law abiding citizens and they under take to abide by any condition that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



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

5.Heard the learned counsel for the petitioners 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 petitioners.

7.Accordingly, the petitioners 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, Uthangarai, on condition that the petitioners 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 petitioners, or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(a) the petitioners 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 petitioners shall appear before the respondent police on every Saturday at 10.30 a.m. for a period of eight weeks;

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

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

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