



Crl.O.P.No.12540 of 2024

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WEB C **C.SARAVANAN, J.**

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of the Indian Penal Code in Crime No.277 of 2024.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) accepting notice for the respondent.

3. The case of the prosecution is that accused No.1 & 4 are the petitioners herein. The first petitioner (A1) is the son of the second petitioner (A2). The wife of the first petitioner - one Mrs.Monika had an affair with the de-facto complainant - one Mr.Munusamy and got pregnant and therefore, the de-facto complainant was called for discussion, which led to verbal and physical abuse. As a result of that, the de-facto complainant suffered injuries. Hence the complaint.

4. The learned counsel for the petitioners would submit that the petitioners are innocent persons and that they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to



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the petitioners.

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5. The learned Government Advocate (Crl.side) appearing for the respondent also confirms that this is the first case filed against the petitioners and that there are no antecedents against the petitioners. She would further submit that the de-facto complainant had received treatment and was discharged from the hospital.

6. Considering the overall the facts and circumstances of the case and also the submissions made by either sides, the Court is inclined to grant Anticipatory Bail to the petitioner and the petitioner shall be released immediately on bail, in the event of arrest or on his appearance, with subject to the following conditions :-

[a] the petitioners shall appear before the **learned Judicial Magistrate, Ambur** within a period of fifteen days from the date, on which, the order copy is made ready.

[b] 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 or to the satisfaction of the learned Magistrate concerned.

[c] the petitioners and the sureties shall affix their



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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.

[d] the petitioners shall report before the respondent police in the last week of May 2024 and thereafter as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners were 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]**.

[h] If the petitioners thereafter abscond, a fresh FIR can be registered under Section 229A of the IPC.

24.05.2024

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