



Crl.O.P.No.17334 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 294 (b), 323 and 324 of IPC, in Crime No.52 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners are in laws of the de-facto complainant and A1/Aravind and the de-facto complainant are husband and wife. It is alleged that on 02.06.2020, the petitioner/A1 assaulted the de-facto complainant because the de-facto complainant suspected that A1 have a contact with another lady. When it was questioned by the de-facto complainant on 09.01.2024 at around 9 PM, A1 started quarelling with the de-facto complainant and poured petrol on her and set her on fire and it was A1 who took the de-facto complainant to the hospital. Then after on 07.04.2024, again started quarelling with her. Hence the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are no way connected with the alleged offence as stated by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the



Crl.O.P.No.17334 of 2024

respondent submitted that due to some matrimonial dispute the petitioner/A1 set fire to the de-facto complainant. Hence he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both side counsel, the investigation is also completed and the victim is also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Addl. Mahila Judicial Magistrate, Udhagamandalam* on condition that the petitioners shall execute separate bonds 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 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;



Crl.O.P.No.17334 of 2024

[b] the petitioners shall report before the respondent as and when required for interrogation;

[c] the petitioners are jointly directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand Only) to the credit of Crime No.52 of 2024 within a period of two weeks from the date of receipt of copy of this order and on such deposit, the de - facto complainant is permitted to withdraw the same for her medical expenditure, on filing undertaking affidavit and proper identification and acknowledgment;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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 is 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;



Crl.O.P.No.17334 of 2024

WEB COPY

7. Considering the nature of dispute between the parties, the matter is referred for mediation in order to resolve the dispute amicably between the parties. Therefore, the petitioner/A1 is directed to appear before the Mediation and Conciliation Centre, Nilgiris on 31.07.2024 without fail.

24.07.2024

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Crl.O.P.No.17334 of 2024

NST

Crl.O.P.No.17334 of 2024

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